

# General Docket

## US Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 03-74603

Filed: 12/18/03

Nsuit: 0

Ahmed, et al v. Gonzales

Appeal from: Immigration and Naturalization Service

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Case type information:

- 1) agency
- 2) review
- 3)

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Lower court information:

District: 0973-2 : A75-474-811  
 Date Filed: 12/17/03  
 Date order/judgment: \*\*/\*\*/\*\*  
 Date NOA filed: \*\*/\*\*/\*\*

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Fee status: paid

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Prior cases:

None

Current cases:

None

Docket as of April 6, 2007 11:15 pm

Page 1

03-74603 Ahmed, et al v. Gonzales

MOHIUDDIN AKM AHMED  
Petitioner

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v.

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Docket as of April 6, 2007 11:15 pm

Page 2

03-74603 Ahmed, et al v. Gonzales

MOHIUDDIN AKM AHMED

Petitioner

v.

ALBERTO R. GONZALES, Attorney General

Respondent

Docket as of April 6, 2007 11:15 pm

Page 3

03-74603 Ahmed, et al v. Gonzales

12/18/03 FILED AS OF 12/17/03 INS PETITION FOR REV. DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. Pursuant to G.O. 6.4(c)(1)(3), the schedule is set as follows: Cert. Admin. Record and Response to Stay Motion due 3/16/04 MOATT [03-74603] (gail)

12/18/03 Filed AS OF 12/17/03 Petitioner Mohiuddin AKM Ahmed's motion to stay deportation (see schedule above) [03-74603] served on 12/16/03 [4925538] MOATT [03-74603] (gail)

12/18/03 Verified that Petitioner's counsel of record has been admitted to practice in this court. [03-74603] (gail)

3/17/04 Filed respondent's motion to extend time to file the administrative record on appeal until 6/14/04 [03-74603]; served on 3/16/04 to (MOATT). [5011321] (jr)

4/5/04 Filed order MOATT (SBC) resp's 3/17/04 mtn for 90-day ext of time to file a response to the stay mtn and the cert admin record is GRANTED. The response and record are due 6/14/04. The optional reply is due 5 days from service of the response. Briefing on the underlying merits of the PFR

is suspended pending disposition of the stay mtn.  
[5011321-1] [03-74603] (rc)

6/15/04 Filed respondent's motion to extend time to file response to motion for stay of removal and the administrative record on appeal until 8/12/04 [03-74603]; served on 6/14/04 to (MOATT). [5091990] (jr)

6/21/04 Filed motion and clerk order (Deputy Clerk: RKP) MOATT: Respondent's motion for an extension of time to file Agency record on appeal and response to the motion for stay of removal is granted. The record and the response are now due 8/12/04. [03-74603] (tm)

7/20/04 Filed Respondent John Ashcroft response (non-opposition) to motion for stay; served on 7/20/04 E-mail [03-74603] (tm)

7/22/04 Filed order MOATT (sc) Respondent has filed a statement of non-opposition to the motion to stay removal pending review. Pursuant to 9th Cir Gen Ord 6.4c, the temporary stay of removal continues in effect until issuance of the mandate, or further order of the court. If pet was granted voluntary departure period, the voluntary departure period was stayed nunc pr tunc to the filing date of the stay motion, and also continues in effect until issuance of the mandate, or further order of the court. The record is due 10/11/04. The opening brief is due 11/10/04; respondents' brief due 12/10/04; and the optional reply brief is due 14 days after service of the answering brief. [03-74603] (tm)

10/19/04 Filed notice of appearance of Robbin K. Blaya (Withdrew as counsel: attorney OIL for John Ashcroft [03-74603] (gail)

Docket as of April 6, 2007 11:15 pm

Page 4

---

03-74603 Ahmed, et al v. Gonzales

10/29/04 Filed motion and order :(Appellate Commissioner) Respondent's late mtn for an ext of time to file the certified administrative record is granted. [5220862-1] [5220862-2] The certified administrative record is due 1/10/05. The court notes the record was originally due 3/16/04. Any further req for ext of time is therefore disfavored and must state with specificity the efforts respondent's csl has made to cause the Executive Office of Immigration Review to produce the record. The new brfing sched is as follows: the opening brf is due 2/22/05; the answ brf is due 3/24/05; and the optional reply brief is due 14 days after service of the answering brief. ( Motion recvd 10/19/04) ( PROMO) [03-74603] (gail)

1/20/05 Administrative record received in unacceptable condition. Returned to OIL. [03-74603] (stev)

2/8/05 Filed petitioner's motion for a 30-day extension to file opening brf; served on 2/7/05 to (PRO MO). [03-74603] (jr)

2/11/05 Filed order (Deputy Clerk: cag) The court is in receipt of petitioner's motion for an ext of time to file the opening brief. A review of court records reflects the record returned to respondent because it was submitted in unacceptable condition. On or before 3/4/05, respondent shall file the corrected record. The petitioners' opening brief is due 4/13/05; respondents' brief is due 5/13/05; the reply brief is due 14 days after service of the answering brief. Petitioner's motion for an extension of time is denied as unnecessary. [03-74603] (wp)

3/1/05 FILED 4 CERTIFIED COPIES OF ADMINISTRATIVE RECORD ON APPEAL [03-74603] [03-74603] (stev)

4/13/05 Filed original and 15 copies Petitioner Mohiuddin AKM Ahmed opening brief ( Informal: n) 30 pages ; served on 4/13/05 [03-74603] (ft)

5/4/05 Filed ntc of appearance of Michael P. Lindemann, Asst. Dir. and Linda S. Wernery, Senior Lit. Csl (Withdrew as csl: atty Robbin K. Blaya) for respondent. [03-74603] (jr)

5/4/05 Filed respondent's motion to extend time to file answering brf until 8/11/05; served on 5/3/05 to (PRO MO). (jr)

5/6/05 Filed petitioner's opposition to respondent's extension to file answering brf; served on 5/5/05 to (NAN per PRO MO). [03-74603] (jr)

5/9/05 Filed order (Deputy Clerk: CAG) respondent's motion for an extension of time to file the answering brief is granted. The answering brief is due 08/11/05. The optional reply brief is due 14 days after service. [5424388-1] [03-74603]

Docket as of April 6, 2007 11:15 pm

Page 5

---

03-74603 Ahmed, et al v. Gonzales

(dv)

8/5/05 Filed respondent's motion to extend time to file answering brf until 9/10/05; served on 8/4/05 to (PRO MO). (jr)

8/5/05 Filed notice of appearance of Douglas E. Ginsburg and Ethan B. Kanter as counsel of record for Respondent Alberto R. Gonzales [03-74603] (megk)

8/8/05 Filed petitioner's 2nd motion to extend time to file rpy brf; served on 8/4/05 to (PRO MO). [03-74603] (jr)

8/15/05 Filed order (Appellate Commissioner) Resp's opposed mtn for a second ext of time in which to file the answering brief is granted. The answering brief is due 9/12/05. The optnl reply brief is due 14 days after srvc of the answering brief. (PROMO) [03-74603] (az)

9/1/05 Filed original and 15 copies respondent Alberto R. Gonzales's 47 page brief; served on 8/29/05 [03-74603] (az)

9/19/05 Filed Petitioner's Request for extension of time (60-day); served on 9/16/05 (PROMO) [03-74603] [03-74603] (az)

9/22/05 Filed order (Deputy Clerk: cag/PROMO) Pet's motion to extend time to file reply brief is granted. petitioners' reply brief due 11/14/05. [03-74603] (az)

11/15/05 Filed original and 15 copies of Mohiuddin AKM Ahmed reply brief (Informal: n) 15 pages; served on 11/14/05 [03-74603] (ba)

2/27/06 Received Ethan B. Kanter for Respondent Alberto R. Gonzales letter dated 02/24/06 re: resp is no longer advancing the argument set forth in section I of Resp's brf. (STAFF) [03-74603] (se)

11/20/06 Calendar check performed [03-74603] (aw)

12/13/06 Calendar materials being prepared. [03-74603] [03-74603] (sv)

12/19/06 CALENDARED: Pasadena February 9, 2007 9:00 am Courtroom 2 [03-74603] (mw)

1/5/07 Filed petitioner's aty's request to reschedule oral argument after 2/9/07; served on 1/4/07 (FAXED PANEL) [03-74603] (gail)

1/25/07 Filed order (Deputy Clerk: jf) The Petitioner's request for a continuance of oral argument is DENIED. This matter is ordered submitted w/out oral argument on Friday, 2/9/07, in Pasadena, CA. FRAP 34(a). (PHONED AT 10:16 am) [03-74603] (sf)

Docket as of April 6, 2007 11:15 pm

Page 6

---

03-74603 Ahmed, et al v. Gonzales

2/9/07 SUBMITTED ON THE BRIEFS TO: Thomas G. NELSON, Eugene E. Siler, Michael D. HAWKINS. [03-74603] (bg)

2/23/07 FILED MEMORANDUM DISPOSITION: DENIED ( Terminated on the Merits after Submission Without Oral Hearing; Other; Written, Unsigned, Unpublished. Thomas G. NELSON, Eugene E. Siler, Michael D. HAWKINS ) FILED AND ENTERED JUDGMENT. [03-74603] (gail)

3/19/07 MANDATE ISSUED [03-74603] (je)

3/29/07 Filed order (Deputy Clerk: je) recall the mandate; mandate was issued prematurely. [03-74603] [Phoned out at 9:30 a.m. Faxed parties] (je)

3/30/07                    Filed orig & 50 copies of Petitioner Mohiuddin AKM Ahmed's  
petition for panel rehearing and petition for rehearing en  
banc. 15 pages (3,164 words); served on 3/30/07. (PANEL,  
AND ALL ACTIVE JUDGES AND INTERESTED SENIOR JUDGES)  
[03-74603] (mj)

Docket as of April 6, 2007 11:15 pm

Page 7