

Motion to Withdraw

Motion to Withdraw as Attorney of Record

A motion to withdraw as counsel must comply with [Matter of Rosales](#) (BIA 1988).

Counsel must file a motion with the Court providing:

- 2. The Respondent's last attempted contact** with the Respondent at their last known address with the following information: Date, time, and place, of scheduled hearing. If
- those requirements are not met then the motion to draw may only be *conditionally granted*.

Matter of Rosales, Interim Decision #3064 (BIA 1988)

A-27188547 | Decided by Board April .21, 1988

(1) Where an attorney asks to withdraw from representation of an alien, his request for withdrawal should include evidence that he attempted to advise his client, at his last known address, of the date, time, and place of the scheduled hearing, and he should also provide the immigration judge with the alien's last known address, assuming it is more current than any address previously provided to the immigration judge.

(2) Unless these requirements are met, counsel's withdrawal should be only conditionally granted, that is, granted for all purposes except receipt of service of documents.

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