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RICHARD W. WIEKIN
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFOR.

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

MMC

12 UNITED STATES DEPARTMENT OF
13 JUSTICE, EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW,

CF 07 - 2539

14 Petitioner,

15 v.

16 PHAT THE HUYNH,

17 Respondent.

**[PROPOSED] ORDER TO SHOW
CAUSE RE: ENFORCEMENT OF
SUBPOENA ISSUED BY A UNITED
STATES IMMIGRATION JUDGE**

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19 Good cause having been shown by the petitioner upon its petition filed in the above-entitled
20 matter, it is hereby:

21 **ORDERED** that respondent, Phat The Huynh, is ordered to appear before this Court on June
22 29, 2007, at 9:00 a.m./~~p.m.~~ in Courtroom No. 7, 19th Floor, United States District Court,
23 450 Golden Gate Avenue, San Francisco, California, 94102, and then and there, show cause, if
24 any, why he should not be compelled to appear on July 18, 2007, at 9:00 a.m., at the removal
25 hearing of Phuong Thi Ly (A45-997-108), as directed by the subpoena issued by Immigration
26 Judge Robert Yeargin, which was served on the respondent on October 28, 2006.

27 **ORDERED** that a certified copy of the Order to Show Cause, together with a copy of the
28 aforesaid petition, as well as the petitioner's memorandum in support of petition and the
declaration of Edward A. Olsen, be served upon said respondent in accordance with Rule 4 of the

1 Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of this Order
2 above specified; and it is further

3 ORDERED that within twenty-one (21) days before the return date of this Order, respondent
4 may file and serve a written response to the petition, supported by appropriate affidavit(s) or
5 declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion they desire to make,
6 that the petitioner may file and serve a written reply to such response, if any, within fourteen (14)
7 days before the return date of this Order; that all motions and issues raised by the pleadings will be
8 considered on the return date of this Order; and only those issues raised by motion or brought into
9 controversy by the responsive pleadings and supported by affidavit(s) or declarations(s) will be
10 considered at the return of this Order, and any uncontested allegation in the petition will be
11 considered admitted.

12 **IT IS SO ORDERED.**

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14 Dated: **MAY 16 2007**


United States District Judge

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