

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION COURT
ATLANTA, GEORGIA**

April 28, 2009

File No.	A098 232 910)	
)	
In the Matter of)	
)	
Mark Daniel Lyttle)	IN REMOVAL PROCEEDINGS
)	
Respondent)	
)	
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**DEPARTMENT OF HOMELAND SECURITY'S MOTION TO TERMINATE
PROCEEDINGS**

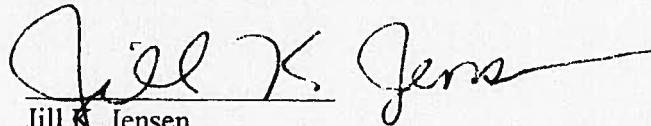
The U.S. Department of Homeland Security ("DHS") respectfully requests that the Executive Office for Immigration Review ("Immigration Court") terminate Respondent's removal proceedings, pursuant to 8 C.F.R. §§ 239.2(c) & 1239.2(c). In support of its motion, DHS hereby states:

1. Mark Daniel Lyttle, hereinafter, "the Respondent," is an individual who was ordered removed from the United States based on his representation to this Court and to immigration officials that he was a Mexican citizen who had illegally entered the United States without inspection or parole.
2. On November 5, 2008, a Notice to Appear was filed, charging Respondent with being an alien present in the United States without being admitted or paroled, and with being an alien who has been convicted of a crime involving moral turpitude based on a 2003 conviction for Felony Unlawful Wounding.

3. At a court appearance on December 12, 2008, Respondent requested an order of removal from the Court.
4. Following issuance of the Court's order, it was determined that Respondent was not a Mexican citizen and is, in fact, a citizen of the United States.

For the foregoing reasons, the NTA was improvidently issued, and DHS requests that the Court terminate the NTA.

Respectfully submitted,



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Date: April 28, 2009