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 Matt	er of		
Mark Daniel Lyttle) IN REMOVAL PROCEEDINGS	
Respondent			

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.
- 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.
- Following issuance of the Court's order, it was determined that Respondent was not a 4. 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,

Jill K. Jensen

Assistant Chief Counsel

U.S. Department of Homeland Security

Office of the Chief Counsel 180 Spring Street, S.W.

Suite 332

Atlanta, GA 30303

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