

SUMMARY TABLE OF CONTENTS

IMMIGRATION CONSEQUENCES OF CRIMINAL ACTIVITY,
11TH ED.

Preface.....	ix
About the Author.....	xi
Introduction.....	xiii
Acknowledgments.....	xvii
Detailed Table of Contents.....	xix
Glossary of Acronyms.....	xlix
Table of Decisions.....	969
Subject-Matter Index.....	1009
Chapter One: An Overview of Basic Immigration Terms and the Immigration Law System.....	1
Chapter Two: The Definition of “Conviction” According to Immigration Law	47
Chapter Three: Consequences of Criminal Activity: Removal from the United States	95
Chapter Four: Consequences of Criminal Activity: Detention Inside the United States	123
Chapter Five: Methodology: Classifying Crimes Under the Immigration and Nationality Act	177
Chapter Six: Crimes Involving Moral Turpitude	239
Chapter Seven: Aggravated Felonies	287
Chapter Eight: Classifications Beyond Moral Turpitude and Aggravated Felony.....	385
Chapter Nine: Consequences of Specific Criminal Activity.....	447
Chapter Ten: Immigration Defense: Waivers and Other Relief.....	517
Chapter Eleven: Fashioning a Plea to Avoid Adverse Immigration Consequences.....	619
Chapter Twelve: Visas and Status for Cooperating Witnesses:.....	657
Chapter Thirteen: Preparing and Presenting Applications That Waive a Criminal Conviction.....	697

Table of Appendix Contents	731
Appendix 1A: Contact Information for Immigration Courts, Offices of the Principal Legal Advisor, and Detention Centers.....	735
Appendix 1B: Notice to Appear, Notice of Custody Determination, Arrest Warrant.....	737
Appendix 1C: FBI Rap Sheet Request.....	743
Appendix 1D: Appointment Confirmation Letter.....	745
Appendix 1E: Client Checklist for Analyzing a Case with a Crime.....	747
Appendix 1F: Client Information Sheet.....	751
Appendix 2A: Motion to Reopen Removal Order, <i>Sua Sponte</i> : Conviction Vacated According to <i>Pickering</i> Standard	753
Appendix 2B: Motion and Memorandum to Set Aside Conviction Under NY CPL §440.10(1).....	759
Appendix 4A: Custody Rule Invoked: Transition Period Custody Rules in Effect Until October 8, 1998 (Pausing Mandatory Detention Statute)	789
Appendix 4B: Section 309 of IIRAIRA.....	791
Appendix 4C: Section 303(b) of IIRAIRA	795
Appendix 4D: Memorandum of March 30, 2025: Guidance Regarding Third Country Removals.....	797
Appendix 4E: Memorandum of July 9, 2025: Third Country Removals Following <i>DHS v. DVD</i>	799
Appendix 4F: Todd Lyons Memorandum of July 8, 2025: Detention of Applicants for Admission (Border Crossers).....	801
Appendix 4G: Sample Habeas Petition on Illegal OSUP Revocation	803
Appendix 5A: Sample Attorney Letter of Advice Addressing Aggravated Felony and Application of <i>Harbin v. Sessions</i>	835
Appendix 5B: Sample Motion: Categorical Money Laundering	839
Appendix 6A: BIA Appeal Brief Excerpts Arguing New Jersey Shoplifting Not a CIMT	847
Appendix 6B: BIA Decision in Case Arguing New Jersey Shoplifting Not a CIMT	857

Appendix 7A: Memorandum in Support of Naturalization: Florida “Trafficking” Statute is Not an Aggravated Felony; Marijuana Not a “Controlled Substance” .865

Appendix 7B: Motion for Bond Hearing: Florida Racketeering; Burglary; Aggravated Felony; and CIMT Analyses867

Appendix 8A: Motion to Terminate.....879

Appendix 8B: Motion to Dismiss Charges of Removability and Terminate: Florida Convictions for Child Neglect and Failure to Report Are Not Moral Turpitude or “Child Abuse” Under INA §237(a)(2)(A)(i) and §237(a)(2)(E)(i)887

Appendix 8C: Motion to Reopen Sua Sponte and Terminate (Florida Marijuana Growhouse).....897

Appendix 8D: Memorandum of Law in Support of Motion to Reconsider (Accompanies Motion at Appendix 8C)901

Appendix 9A: Chart: Crimes and Possible Consequences.....911

Appendix 9B(1): Memorandum in Support of Naturalization915

Appendix 9B(2): Sample Letter Submitted at Interview in Support of N-400 Naturalization Application919

Appendix 10A: Memorandum of Law on Statutory Eligibility for INA §212(h) Waiver921

Appendix 11A: Sample Letter to Criminal Counsel for Fashioning a Plea to Charges of Rape, False Imprisonment, Battery.....931

Appendix 12A: AAO Decision Qualifying Criminal Activity.....937

Appendix 12B: AAO Decision on “Direct and Proximate Harm” to Qualify as a Victim943

Appendix 13A: Sample Pretrial Statement947

Appendix 13B: Sample Statement in Support of Naturalization Eligibility; Applicant Not Amenable to Removal Proceedings.....955

Appendix 13C: Respondent’s Pretrial Statement; Cancellation of Removal for Permanent Residents, INA §240A(a)961

Appendix 13D: Memorandum in Support of Naturalization; Defining “Admission”965