UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

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STANDING ORDER REGARDING
IMMIGRATION CASES

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PRESENT: McKEE, **Chief Judge**, and AMBRO, FUENTES, SMITH, FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, Jr., VANASKIE, SHWARTZ, KRAUSE **Circuit Judges**
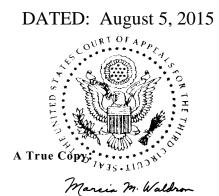
In order to ensure that petitioners in immigration matters are not deported before the Court has an opportunity to act on a motion for stay of removal and to ensure that the Court has a sufficient record on which to decide such a motion, the Court adopts a policy of granting a temporary administrative stay pending disposition of the motion for a stay if the case meets the following criteria:

(1) the petition for review is timely filed;
(2) venue is proper in the Third Circuit;
(3) the order appealed is arguably final; and
(4) the Court has authority to review the challenged order.

To implement this policy, the Court adopts the following procedure. Upon receipt of a motion for stay of removal that meets the above criteria, pursuant to Internal Operating Procedure 10.4, the Clerk is directed to administratively stay removal until such time as a motions panel can consider the motion. Petitioners are reminded that motions for stay must comply with requirements of Rule 27(a)(2)(A) and Rule 18(a)(2)(B)(i), Fed. R. App. Pro., that the motion state the grounds for the motion, the relief sought, and the legal argument necessary to support it. The Government may file a

response by the time provided in Rule 27(a)(3) or may at any time file a motion to vacate the temporary administrative stay. If the Government wishes to expedite consideration of a motion to vacate or a motion to stay, it must discuss the scheduling of that motion with the Clerk's Office. In any event, the temporary administrative stay will remain in effect unless vacated by an order of the Court.

If the case does not meet the above criteria, the Clerk will immediately inform the Government, schedule the filing of a response, and determine whether the motion must be expedited.

/s/ Theodore A. McKee
Chief Judge

DATED: August 5, 2015

A True Copy:

Marcia M. Waldron

Marcia M. Waldron, Clerk