

Gina Garrett Jackson  
Eric J. Aurelius  
Assistant Chief Counsels  
Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
United States Department of Homeland Security  
333 South Miami Avenue  
Suite 200  
Miami, Florida 33130

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
KROME SERVICE PROCESSING CENTER  
MIAMI, FL

<u>IN THE MATTER OF</u>	)	
	)	<b>IN REMOVAL PROCEEDINGS</b>
<b>Youssef Samir MEGAHED</b>	)	
	)	<b>File No. A#046-434-337</b>
	)	<b>(Detained)</b>
	)	<b>Judge: Kenneth S. Hurewitz</b>
<b>Respondent</b>	)	

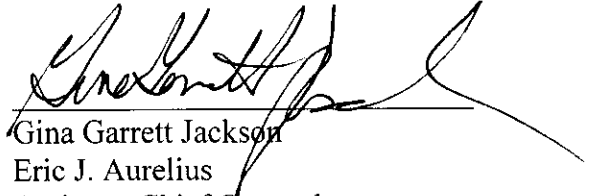
**THE DEPARTMENT OF HOMELAND SECURITY'S NOTICE OF FILING**

The United States Department of Homeland Security, Immigration and Customs Enforcement ("DHS") hereby files the following amendments to the Notice to Appear in the above-styled cause of action before the Honorable Kenneth S. Hurewitz:

*I-261, adding additional allegations*

Dated this 28<sup>th</sup> day of April, 2009.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Gina Garrett Jackson", written over a horizontal line.

Gina Garrett Jackson

Eric J. Aurelius

Assistant Chief Counsels

DHS

333 S. Miami Avenue, Suite #200


Miami, Florida 33130

(305) 400-6160 ext. 6582

**CERTIFICATE OF SERVICE**

I, Eric J. Aurelius, hereby certify that on April 28<sup>th</sup>, 2009, a true and correct copy of the foregoing Motion was provided to Charles Kuck, Esq., Kuck, Casablanca, LLC, attorney for the respondent, by facsimile to (404) 816-8615 and by regular first class mail, postage prepaid, to the following address:

Charles Kuck, Esq.  
Kuck Casablanca, LLC  
8010 Roswell Rd., Suite #300  
Atlanta, GA 30350

  
Eric J. Aurelius  
Assistant Chief Counsel  
18201 SW 12<sup>th</sup> Street  
Miami, FL 33194  
(305) 207-2222

**U.S. Department of Justice**

Immigration and Naturalization Service

**Additional Charges of Inadmissibility / Deportability**

In:      Removal proceedings under section 240 of the Immigration and Nationality Act.  
        Deportation proceedings commenced prior to April 1, 1997 under former section 242 of the Immigration and Nationality Act.

**In Matter of:**

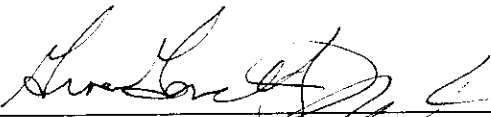
Alien / Respondent: Youssef Samir Megahed

File No: A46-434-337                      Address: 4959 Anniston Circle, Tampa, FL 33647

In support of the charge set forth in the original charging document, there is submitted the following additional factual allegations:

11. On August 8, 2007, Youssef Megahed's father, Samir Megahed, provided the necessary consent for a search of the Megahed family desktop computer located at 4959 Anniston Circle, Tampa, FL 33647.
  
12. The computer contained, under the account with the user name "USEF," numerous videos, documents and an internet search history that supports Islamic extremism, jihad against the United States, bomb making, explosives and numerous other military weapons references, all accessed over a period from early 2006 to August 3, 2007.

Dated: 4/28/2009

  
\_\_\_\_\_  
(Signature of Service Counsel)

Additional Allegations (continued)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Notice to Respondent

**Warning:** Any statement you make can be used against you in removal proceedings.

**Alien Registration:** This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are to carry it with you at all times.

**Representation:** If you so chose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review. Unless you so request, no hearing will be schedule earlier than ten days form the date of this notice, to allow you sufficient time secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this Notice.

**Conduct of the Hearing:** At the time of the hearing, you should bring with you any affidavits or other documents which you so desire to have considered in connection with your case. If any document is in a foreign language, you must bring the original and a certified English translation of the document. if you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the charging document and that you are inadmissible or deportable on the charges contained in the charging document. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government.

You will be advised by the immigration judge before whom you appear, of any relief from removal for which you may appear eligible including the privilege of departing voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

**Failure to appear:** You are required to provide the INS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceedings. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the INS.

CERTIFICATE OF SERVICE

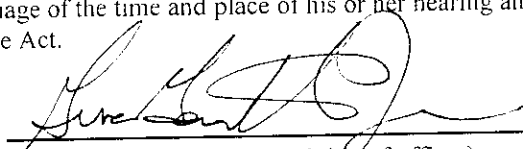
This charging was served on the respondent by me on April 28, 2009, in the following manner and in compliance with section 239(a)(1)(F) of the Act:

in person       by certified mail, return receipt requested       by regular mail

to: \_\_\_\_\_  
(Alien's address)

The alien was provided oral notice in the \_\_\_\_\_ language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

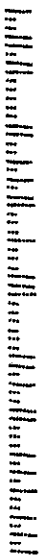
\_\_\_\_\_  
(Signature of Respondent if personally served)

  
(Signature and title of officer)

Office of the Chief Counsel  
Krome SPC  
18201 SW 12th Street  
Miami, Florida 33194

Charles Kuck, Esq  
Kuck Casabianca, LLC  
8010 Roswell Rd., Suite #300  
Alanta, GA 30350

3035047014



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