

# Exhibit H

Explanatory email from Defendant Immigration Judge Cassidy

**Moutinho, Deborah (EOIR)**

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**From:** Smith, Gary (EOIR)  
**Sent:** Wednesday, May 12, 2010 12:14 PM  
**To:** Cassidy, William A. (EOIR)  
**Subject:** RE: judge cassidy

Thanks, Judge, I appreciate your getting back with me on this. That will assist in preparing a comprehensive response.

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**From:** Cassidy, William A. (EOIR)  
**Sent:** Wednesday, May 12, 2010 10:57 AM  
**To:** Smith, Gary (EOIR)  
**Subject:** RE: judge cassidy

Dear Judge Smith:

The exchange with Ms. Stevens went as follows to the best of my recollection:

Miss, I going to have to ask you to leave.

On WHAT, Authority?

If you like me to provide with the copy of the regulations, I will.

I know the regulations.

Then, I am going to ask you to leave. I need to speak to the Respondent. After I speak with him, if I deem it appropriate I will allow you to return.

May, I speak to the Respondents?

No.

I then departed the court to obtain the file for the next individual hearing. When I returned Ms. Stevens was gone. Ms. Schuster, my clerk indicated that she came to the front of the courtroom and spoke with the Respondents present via televideo at Stewart and then left indicating that she would be in the waiting room.

While she did speak to some of the detainees from the morning master hearing, she did not speak with the Respondent who was the subject of the individual hearing. He had not been brought up, as of yet. When the Respondent appeared I explained on the record his right to have a closed hearing and he made that request. You may wish to review the DAR. I did not have further contact with Ms. Stevens and at no time did I ask anyone to remove her. I only learned about her departure at the conclusion of my hearing.

I had asked Ms. Schuster to prepare an account of the incident and send it to you soon after this event. If she hadn't responded you may wish to speak with her privately.

Bill

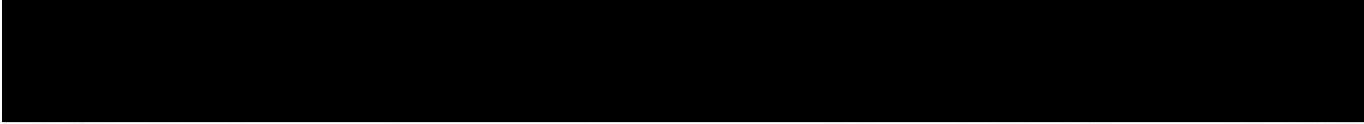
I will respond to the Bond issue shortly. If there is anything on this matter that I need to address please let me know. Please note I did not identify that the matter before me was an asylum hearing. However, it was and involved very personal issues and the Respondent did request the hearing be

5/12/2010

closed.

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**From:** Smith, Gary (EOIR)  
**Sent:** Tuesday, May 11, 2010 5:02 PM  
**To:** Cassidy, William A. (EOIR); Long, Cynthia (EOIR)  
**Subject:** FW: judge cassidy



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**From:** Keller, Mary Beth (EOIR)  
**Sent:** Tuesday, May 11, 2010 4:33 PM  
**To:** Smith, Gary (EOIR)  
**Subject:** FW: judge cassidy

Gary,

Here is what I initially got. Then I spoke with her on May 03 on the phone. She reiterated most of what was in the blog, and added a few other things. She claims problems with respondents getting into the Stewart facility following their release; and problems with respondents getting copies of the 213s in their own records from either DHS or the judge.

I have also attached an email she sent me following our phone conversation relating to Pelletier.

I think the substance of what she is asserting that we may want to get the judge to respond to are

(1)

(2)

(3)

(4)

mtk

-----Original Message-----

**From:** Jacqueline Stevens [mailto:jstevens@law.berkeley.edu]  
**Sent:** Thursday, April 29, 2010 12:43 AM  
**To:** Keller, Mary Beth (EOIR)  
**Subject:** RE: judge cassidy

Dear Ms. Keller,

Thanks for your follow up explanation. I was hoping to talk with you to have an understanding of the process I should be expecting, including a