

Richard Steven Riess
AF8 664 582
ELCDC
1705 East Hanna Rd
Eloy, Arizona 85231

United States Department of Justice
Executive Office for Immigration Review
Immigration Court
Eloy, Arizona

File No: AF8 664 582
In the matter of:
Richard Steven Riess
In Removal Proceedings


On Wednesday, February 6th, 2008 I, Richard Steven Riess, the Respondent, did state that I have put no effort into acquiring a copy of my birth certificate for the purposes of proving my claim to U.S. citizenship. I also did state that I have no intention of putting any effort into acquiring such birth certificate for that purpose. It did escape me to mention at that time that I am already in possession of a copy of my U.S. birth certificate, however, I absolutely refuse to be compelled to prove my innocence against completely unfounded allegations of alienage by the Department of Homeland Security. If the Department meets its burden of proving alienage I will gladly produce my birth certificate for consideration.

However, the current circumstances are that I am being coerced, or even extorted, into proving my innocence of a crime that has not even been found to have occurred. For, until alienage

has been established there can be no crime considered to have been committed. And it is clearly and unquestionably unconstitutional to incarcerate a person for a crime that has not occurred.

To this end I protest that the only legal, constitutional and humane course, at this time, and in light of the Department's admission that no proof of alienage is known to exist as yet, is to suspend the removal proceeding until such time as the Department is able to establish alienage. Or, more directly, to revoke my current bond and grant a release upon my own recognizance, at least until alienage is established.

Sincerely,


Richard S. Rich

P.S. I forgot to mention, also, that ICE has yet to obtain a Warrant for Arrest of Alien (Form I-200) for me. The copy I have and the one in my A-File bear no name - for obvious reasons.