

Highlights of the 2026 Edition

This title is composed primarily of two types of sections: practitioners' notes for compiling a particular type of pleading and sample pleadings. Most updates occur within the practitioners' notes sections. **Note the following changes in this 2026 Edition:**

- *Matter of B-S-H-*, 29 I&N Dec. 313, 2025 WL 3241668 (BIA 2025) (holding that the VAWA extraordinary-circumstances/extreme-hardship waiver applies to the time limit for a motion to reopen, but not to the numerical limitation)
- *Matter of Ghanbari*, 29 I&N Dec. 376, 2025 WL 3765551 (BIA 2025) (holding that the respondent was subject to mandatory detention under INA § 236(c)(1)(D) [8 U.S.C.A. § 1226(c)(1)(D)] because he provided material support to a terrorist organization; ordinary bond is unavailable when § 236(c) applies)
- *Matter of Laparra-Deleon*, 29 I&N Dec. 389, 2025 WL 4053066 (BIA 2025) (reinstating *Matter of Laparra* and confirming that service of a compliant notice of hearing can support an in absentia removal order despite a noncompliant notice to appear)
- *Matter of Yadav*, 29 I&N Dec. 438, 2026 WL 371117 (BIA 2026) (holding that a valid post-order marriage to a U.S. citizen, standing alone, is not an exceptional situation warranting sua sponte reopening)
- *Matter of Z-R-C-N-*, 29 I&N Dec. 523, 2026 WL 776454 (BIA 2026) (holding that there was no ineffective-assistance claim where the person hired was neither an attorney nor someone who held himself out as one and that special-immigrant-juvenile-based adjustment was too speculative because of visa delays to establish prima facie eligibility for reopening)
- *Avila v. Bondi*, 170 F.4th 1128 (8th Cir. 2026) (holding that INA §§ 235(a)(1) and 235(b)(2)(A) [8 U.S.C.A. §§ 1225(a)(1) and 1225(b)(2)(A)] subject a noncitizen present without admission to mandatory, bondless detention as an “applicant for admission” and rejecting the position that § 235 applies only at the border or makes other detention provisions superfluous)
- *Buenrostro-Mendez v. Bondi*, 166 F.4th 494 (5th Cir. 2026) (holding that noncitizens who entered without inspection and were placed in removal proceedings are “applicants for admission” under INA § 235(a)(1) and therefore are subject to mandatory detention under INA § 235(b)(2)(A) without an immigration-judge bond hearing regardless of residence length or criminal history)
- *Castanon-Nava v. U.S. Department of Homeland Security*, 161 F.4th 1048 (7th Cir. 2025) (holding that the government was not likely to prevail on its argument that INA § 235(b)(2)(A) covers noncitizens already unlawfully present in the United States as well as persons presenting at the border and declining to stay a district-court release order involving warrantless arrests that violated a preexisting consent decree)
- Updated Immigration Court Practice Manual and Board of Immigration Appeals Practice Manual citations and information

The appendices have been significantly updated. Outdated appendices have been removed, and the remaining appendices have been updated in light of the EOIR's recompilation of the appendices in its EOIR Policy Manual.