

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

**CHASIB HAFEDH SAADOON AL
FAWADI,**

Defendant.

Criminal No. 5:20-CR-241 (TJM)

Judicial Removal Order

Upon the application of the United States of America, through its counsel of record, the United States Attorney for the Northern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of CHASIB HAFEDH SAADOON AL FAWADI (“the defendant”) and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Iraq and a citizen of Iraq.
3. The defendant entered the United States as a refugee on or about January 12, 2016.
4. At the time of sentencing in this case, the defendant will be convicted in the United States District Court for the Northern District of New York of violations of 18 U.S.C. § 1546(a) and 18 U.S.C. § 1001(a)(2).
5. The maximum term of imprisonment for a violation of 18 U.S.C. § 1546(a) is ten years and the maximum term of imprisonment for a violation of 18 U.S.C. § 1001(a)(2) is five years.
6. Based on the defendant’s factual admissions in section 5 of the Plea Agreement, dated September 20, 2021 [Docket #26], the defendant is, and at sentencing will be, subject to

removal from the United States pursuant to (i) 8 U.S.C. § 1227(a)(1)(A) [Immigration and Naturalization Act (“INA”) § 237(a)(1)(A)], as an alien who at the time of entry or adjustment of status was within one or more classes of aliens inadmissible by the law existing at such time, to wit: 8 U.S.C. § 1182(a)(6)(C)(i) [INA § 212(a)(6)(C)(i)]; (ii) 8 U.S.C. § 1227(a)(1)(B) [INA § 237(a)(1)(B)], as an alien who is present in the United States in violation of the INA or any other law of the United States; and (iii) 8 U.S.C. § 1227(a)(2)(A)(iii) [INA § 237(a)(2)(A)(iii)], as an alien convicted of an aggravated felony as defined in 8 U.S.C. § 1101(a)(43)(P) [INA § 101(a)(43)(P)], for an offense described in 18 U.S.C. § 1546(a) for which the term of imprisonment is at least 12 months.

7. The defendant has waived his right to notice and a hearing under Section 238(c) of the INA, 8 U.S.C. § 1228(c). *See* Plea Agreement [Docket #26] at pp. 2-3.
8. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal. *See* Plea Agreement [Docket #26] at pp. 2-3.

WHEREFORE, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), the Court orders that the defendant be removed from the United States to Iraq.

SO ORDERED THIS 6 DAY OF ^{May}~~MARCH~~ 2022.


THE HONORABLE GLENN T. SUDDABY
CHIEF JUDGE, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK