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**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

FILED

APR 14 2009

LEONARD GREEN, Clerk

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John Demjanjuk,

Petitioner,

v.

Eric H. Holder, Attorney General of
the United States,

Respondent.

Petition for Review 09-3416

PETITION FOR REVIEW

John Demjanjuk hereby petitions the Court for review of an Order of the Board of Immigration Appeals denying petitioner's Emergency Motion to Stay Removal entered on April 10, 2009. A copy of the Board of Immigration Appeals Order is attached.

Pursuant to 8 U.S.C. 1252(c)(2), on January 30, 2008 this Court upheld the validity of the Order of Removal entered against the Petitioner. *Demjanjuk v. Mukasey*, 514 F.3d 616 (6th Cir.), *cert. denied*, 128 S.Ct. 2491 (Mem.), 171 L.Ed.2d 780 (2008).

Respectfully submitted,

JOHN DEMJANJUK

By: John Broadley
One of his attorneys

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Dated: April 14, 2009

U.S. Department of Justice
Executive Office for Immigration Review

Decision of the Board of Immigration Appeals

Falls Church, Virginia 22041

File: A008 237 417 - Cleveland, OH

Date: April 10, 2009

In re: JOHN DEMJANJUK a.k.a. John Iwan Demjanjuk

IN REMOVAL PROCEEDINGS

MOTION

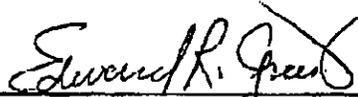
ON BEHALF OF RESPONDENT: John Broadley, Esquire

ON BEHALF OF DIIS: Eli M. Rosenbaum, Director
Office of Special Investigations
Criminal Division, USDOJ

APPLICATION: Stay of Removal

Counsel for the respondent has applied for a stay of removal pending consideration by the Board of a motion to reopen. After consideration of all information, the Board has concluded that there is little likelihood that the motion will be granted. Accordingly, the request for a stay of removal is denied. In addition, any prior administrative stay of removal entered in this matter is dissolved.

ORDER: The request for stay of removal is denied.



FOR THE BOARD

PROOF OF SERVICE

I, John Demjanjuk, Jr., certify that on this 14th day of April 2009 I caused copies of the foregoing:

Petition for Review
Motion for Leave to Proceed in Forma Pauperis
Motion for Stay Pending Review

to be served on counsel and parties listed below, by depositing copies thereof in the United States mail, postage prepaid, addressed as follows:

Eli Rosenbaum¹
Director, Office of Special Investigations
1301 New York Avenue, NW
Suite 200
Washington, D.C. 20530

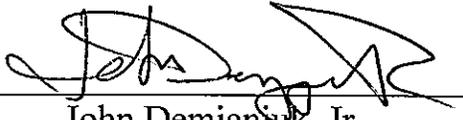
Office of Chief Counsel, DHS/ICE
1240 East 9th Street, Room 585
Cleveland, Ohio 44199

In addition, a copy of the Petition for Review was served on the Attorney General as required by 8 U.S.C. 1252(b)(3)(A) by depositing a copy thereof in the United States mail addressed to :

Honorable Eric H. Holder
Attorney General
U.S. Department of Justice
10th & Constitution Avenue, NW
Washington, D.C. 20530

Pursuant to 28 U.S.C. 1746 I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 14, 2009


John Demjanjuk, Jr.

¹ A copy of the foregoing documents was also served on Mr. Rosenbaum by electronic mail.