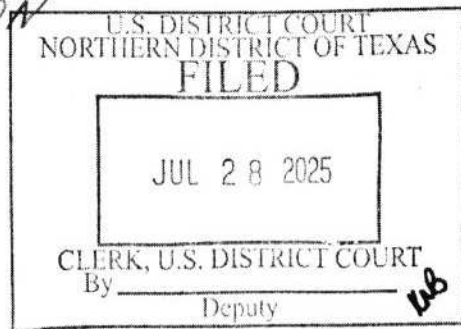


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



Irina Petrova,
Petitioner,

A * 

Case Name: Petrova v. Prairieland Detention Center

Case Number: 3:25-cv-01638-B-BW

Additional attachments:

Attachment 1. Motion to Reopen Removal Proceedings.

Attachment 2. Respondent's Emergency Motion to Stay Removal.

Respectfully submitted,

Irina Petrova

A * 

Detained at Prairieland Detention center
Alvarado, TX

Date 07.21.25

Signature 

Amarise Law, PLLC
3011 70th Ave E Unit A
Fife, WA 98424

DETAINED

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
BOARD OF IMMIGRATION APPEALS
FALLS CHURCH, VA**

In the Matter of:

)

A#



)

)

IRINA PETROVA

)

)

In Removal Proceedings

)

MOTION TO REOPEN REMOVAL PROCEEDINGS

I. INTRODUCTION

NOW COMES the Respondent, Irina Petrova, by and through undersigned counsel, and respectfully moves the Board of Immigration Appeals (the "Board") to reopen her removal proceedings pursuant to 8 C.F.R. § 1003.2(c)(1), in light of the recent grant of asylum to her spouse, Viktor Petrov (A# [REDACTED]) by the Immigration Judge on May 22, 2025 with the written decision issued on May 28, 2025. The decision has become final, and Respondent respectfully requests that the Board reopen her proceedings to allow adjudication of her derivative asylum eligibility under INA § 208(b)(3)(A) or remand the matter to the Immigration Judge for further proceedings.

II. PROCEDURAL HISTORY

Respondent is currently detained at Prairieland Detention Center in Alvarado, Texas. She is the lawful spouse of Viktor Petrov and was listed as a derivative applicant on his Form I-589, Application for Asylum and Withholding of Removal¹. Her removal proceedings were conducted separately from Mr. Petrov's. The Immigration Judge granted Mr. Petrov asylum status on remand at the Individual hearing on May 22, 2025. The Immigration Judge issued the written order on May 28, 2025, allowing the government 30 days for appeal².

On June 27, 2025, Respondent filed this motion within 90 days of the final administrative decision, consistent with 8 C.F.R. § 1003.2(c)(2). She seeks reopening based

¹ Tab A.

² Tab B.

on new and material facts that were not previously available and that materially affect her eligibility for relief.

III. BASIS FOR REOPENING

Respondent is eligible for derivative asylum status pursuant to INA § 208(b)(3)(A), which provides that a spouse of a principal asylee may be granted asylum if accompanying or following to join the principal applicant. The grant of asylum to Mr. Petrov is a material change in circumstances that directly affects Respondent's eligibility for relief. Respondent was previously unable to assert this eligibility as the derivative basis for relief did not yet exist.

The regulations at 8 C.F.R. § 1003.2(c) allow reopening based on new evidence that was not available at the time of the original hearing. Mr. Petrov's asylum grant constitutes such new evidence. Furthermore, reopening is in the interest of family unity and fairness, consistent with humanitarian principles underlying the asylum statute and the Board's discretionary authority.

IV. RELIEF REQUESTED

Respondent respectfully requests that the Board:

1. Grant this Motion to Reopen and reopen her removal proceedings to allow adjudication of her derivative asylum eligibility;

OR

2. Remand the matter to the Immigration Judge with instructions to consider her eligibility for derivative asylum in light of Mr. Petrov's asylum status.

Additionally, Respondent respectfully requests that the Board notify the Department of Homeland Security (DHS) and recommend that no removal be effectuated while this motion is pending.

V. CONCLUSION

For the foregoing reasons, Respondent respectfully requests that the Board grant this motion and either (1) reopen proceedings and grant asylum based on her derivative status, or (2) remand to the Immigration Judge for further adjudication.

Should the Board require any further information, counsel stands ready to provide additional documentation or briefing as necessary.

Respectfully submitted,



Mariya Sergiyenko, Esq.
Counsel for Respondent
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Amarise Law PLLC
contact@amariselaw.com

Exhibit A	I-589 of Viktor Petrov, A# 
Exhibit B	Copy of final decision granting asylum to Viktor Petrov
Exhibit C	Marriage Certificate