

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

_____	)	
UNITED STATES OF AMERICA	)	Case No. 18 Cr. 36 (JPO)
	)	MOTION FOR A JUDICIAL
v.	)	ORDER OF REMOVAL
	)	
DAVID BRITT,	)	
Defendant	)	
_____	)	

ORDER OF REMOVAL

Upon consideration of the motion of the defendant, in his own right and by his counsel, Robert Stern, for the entry of a Judicial Order of Removal from the United States, pursuant to Section 238(c)(5) of the Immigration & Nationality Act (INA), 8 U.S.C. §1228(c)(5), and with the concurrence of the Deputy Director and Senior Official Performing the Duties of Director for U.S. Immigration & Customs Enforcement, and all prior proceedings and submissions in this matter, the Court hereby finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native and citizen of Australia.
3. The defendant was admitted to the United States as an individual lawfully admitted for permanent residence on February 27, 1992.
4. The defendant pleaded guilty in the United States District Court for the Southern District of New York to Count Two of the Indictment, which charged him with Conspiracy to Commit Wire Fraud, 18 U.S.C. §1349.
5. As part of his plea, defendant agreed that the loss to the victim in this case was in excess of \$10,000.

6. The defendant is subject to removal from the United States pursuant to Section 237(a)(2)(A)(iii) of the INA, 8 U.S.C. §1227(a)(2)(A)(iii), as an individual convicted of an aggravated felony, as defined under section 101(a)(43)(M)(i) of the INA, 8 U.S.C. §1101(a)(43)(M)(i).
7. The defendant has waived his right to notice and hearing under section 238(c)(5) of the IBNA, 8 U.S.C. §1228(c)(5).
8. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

IT IS HEREBY ORDERED that, following any sentence imposed by this court, including any period of home confinement, that the defendant, DAVID BRITT, be removed from the United States to Australia.

BY THE COURT:

10/9/2020

A handwritten signature in black ink, appearing to read "J. Paul Oetken", written over a horizontal line.

HONORABLE J. PAUL OETKEN

UNITED STATES DISTRICT COURT JUDGE