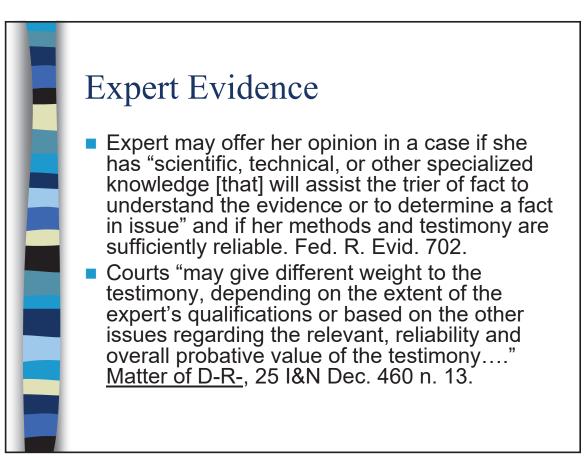


Hearsay

Hearsay is admissible. 8 C.F.R. §§ 1240.7(a), 1240.46(b); <u>Olabanji v. INS</u>, 973 F.2d 1232, 1234 (5th Cir. 1992)

- Evidence must be evaluated for fundamental fairness and probity
- IJ must evaluate the reliability of the documents
- Should make witness available for cross-examination or explain unavailability

5



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