

# United States Court of Appeals For the First Circuit

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No. 18-1830

JOSE ANTONIO REYES-RAMOS,

Petitioner,

v.

MERRICK B. GARLAND, Attorney General,

Respondent.

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## ERRATA SHEET

The opinion of this Court, issued on January 13, 2023, is amended as follows:

On page 4, at line 3, after " 8 C.F.R. § 208.31(c)." add this as new footnote number 1 and renumber the existing footnotes accordingly.

In December 2020, the Department of Homeland Security and Department of Justice published a joint rule that amended portions of 8 C.F.R. § 208.31, including subsection (g), which is cited in this opinion. See Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear Review, 85 Fed. Reg. 80274 (Dec. 11, 2020). The enforcement of this rule was enjoined in January 2021. See Pangea Legal Servs. v. U.S. Dep't of Homeland Sec., 512 F. Supp. 3d 966, 977 (N.D. Cal. 2021). To date, the injunction in Pangea has not been lifted, nor has the government argued that this now-enjoined rule is enforceable. Additionally, no subsequent rulemaking has amended the provision. Throughout this opinion, we therefore cite the regulatory language as it existed prior to the promulgation of the now-enjoined rule – the 2020 version of 8 C.F.R. § 208.31.

On page 6, at line 10, replace "credible" with "reasonable"

On page 6, at line 12, replace "credible" with "reasonable"