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U.S. Department of Homeland Security  
Citizenship and Immigration Services

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ADMINISTRATIVE APPEALS OFFICE  
CIS, AAO, 20 Mass, 3/F  
425 I Street N.W.  
Washington, D. C. 20536



DEC 29 2003

FILE: [Redacted]

Office: El Paso

Date:

IN RE: Obligor:  
Bonded Alien



IMMIGRATION BOND: Bond Conditioned for the Delivery of an Alien under Section  
103 of the Immigration and Nationality Act, 8 U.S.C. § 1103

**PUBLIC COPY**

ON BEHALF OF OBLIGOR: SELF-REPRESENTED

INSTRUCTIONS:

This is the decision in your case. All documents have been returned to the office that originally decided your case.  
Any further inquiry must be made to that office.

*for*   
Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The delivery bond in this matter was declared breached by the Field Office Director, Detention and Removal, El Paso, Texas, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The record indicates that on January 14, 2003, the obligor posted a \$7,500 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated June 3, 2003 was mailed to the obligor. The notice demanded the bonded alien's surrender into the custody of an officer of Immigration and Customs Enforcement (ICE), at 9:00 a.m. on June 23, 2003, at [REDACTED] El Paso, Texas. The obligor failed to present the alien, and the alien failed to appear as required. On June 27, 2003, the field office director informed the obligor that the delivery bond had been breached.

The bonded alien and her attorney/representative filed the appeal. Only an affected party, a person or entity with legal standing, may file an appeal of an unfavorable decision. The alien and her attorney are without standing in this proceeding. 8 C.F.R. § 103.3(a).

An immigration bond is a contract between ICE and the obligor. The obligor, or his or her attorney or other representative, is the proper party to appeal an ICE decision to breach the bond. See *Matter of Insurance Company of North America*, 17 I&N Dec. 251 (Act. Reg. Comm. 1978).

The regulations provide that an appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee ICE has accepted will not be refunded. 8 C.F.R. § 103.3(a)(2)(v).

**ORDER:** The appeal is rejected.