

GI

U.S. Department of Homeland Security
20 Mass. Rm. A3042, 425 I Street, N.W.
Washington, DC 20536



U.S. Citizenship
and Immigration
Services

[Redacted]

FILE:

[Redacted]

Office: EL PASO

Date:

MAR 22 2004

IN RE:

Obligor:
Bonded Alien:

[Redacted]

IMMIGRATION BOND:

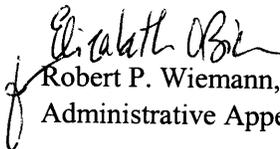
Bond Conditioned for the Delivery of an Alien under Section 103 of the Immigration and Nationality Act, 8 U.S.C. § 1103

ON BEHALF OF OBLIGOR:

[Redacted]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office 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.


Robert P. Wiemann, Director
Administrative Appeals Office

PUBLIC COPY

**identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

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 on appeal. The appeal will be dismissed as moot.

The record indicates that on August 27, 2002, the obligor posted a \$15,000 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated October 22, 2003, was sent to the obligor via certified mail, return receipt requested. The notice demanded the bonded alien's surrender into the custody of an officer of Immigration and Customs Enforcement (ICE) at 10:00 a.m. on November 20, 2003, at [REDACTED]. The obligor failed to present the alien, and the alien failed to appear as required. On December 10, 2003, the field office director informed the obligor that the delivery bond had been breached.

The record reflects that a Form I-323 was previously issued on June 25, 2003, and a Form I-290B, Notice of Appeal dated by counsel on July 22, 2003 was filed at the El Paso District Office on June 25, 2003. The appeal is moot as the issuance of the subsequent Form I-340 dated October 22, 2003 referred to in the paragraph above and Form I-323 dated December 10, 2003 supercedes all prior demand and breach notices. The record does not contain evidence that an appeal has been filed for the Form I-323 issued on December 10, 2003.

ORDER: The appeal is dismissed.