

**PUBLIC COPY**

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



**U.S. Citizenship  
and Immigration  
Services**

**G1**

FILE:



Office: SEATTLE

Date: **DEC 13 2005**

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

ON BEHALF OF OBLIGOR: Self-represented

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

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

The record indicates that February 20, 2004, the obligor posted a \$1,500 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated April 26, 2005, 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 June 27, 2005, at [REDACTED] Seattle, WA [REDACTED]. The obligor failed to present the alien, and the alien failed to appear as required. On June 30, 2005, the field office director informed the obligor that the delivery bond had been breached.

The regulation at 8 C.F.R. § 292.4(a) provides, in part, that “[a] notice of appearance entered in application or petition proceedings must be signed by the obligor to authorize representation in order for the appearance to be recognized by ICE.”

In the instant case, the obligor did not sign the Form G-28, Entry of Appearance as Attorney or Representative.

Accordingly, pursuant to 8 C.F.R. § 292.4(a), the AAO sought to clarify whether [REDACTED] is authorized to represent the obligor in this proceeding. On August 19, 2005, the AAO faxed a request for a properly executed Form G-28 to counsel's office. Three months later, however, a properly executed Form G-28 has not been submitted to the AAO. Accordingly, there is no evidence that [REDACTED] authorized to represent the obligor in this proceeding and to file a Form I-290B on behalf of the obligor. As there is nothing in the record that demonstrates that [REDACTED] is the obligor's representative and therefore acting on behalf of a recognized party, counsel is not authorized to file an appeal. 8 C.F.R. § 103.3(a)(1)(iii)(B). As the appeal was not properly file, it will be rejected. 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

**ORDER:** The appeal is rejected.