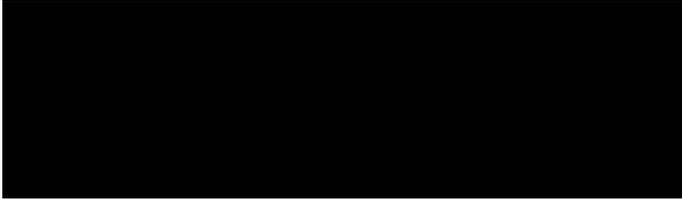


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U.S. Citizenship
and Immigration
Services

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



GI

FILE: [redacted] Office: HOUSTON Date: **NOV 11 2005**

IN RE: Obligor: [redacted]
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: 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.

Σ Robert P. Wiemann, Director
Administrative Appeals Office

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

The record indicates that on May 11, 2000, the obligor posted a \$2,000 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated September 18, 2000, 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 the legacy Immigration and Naturalization Service, now Immigration and Customs Enforcement (ICE), at 8:30 a.m. on October 19, 2000, at [REDACTED]. The obligor failed to present the alien, and the alien failed to appear as required. On November 9, 2000, the district director informed the obligor that the delivery bond had been breached.

In the instant case, there is no Form G-28, Entry of Appearance as Attorney or Representative on file. As such, the attorney, [REDACTED] who has filed the Form I-290B has no standing in this proceeding.

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 October 28, 2005, the AAO telephoned counsel's office and spoke with his secretary who indicated that counsel had not been in the office for approximately three months and had not idea when he would return. Accordingly, there is no evidence that [REDACTED] is 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.