



U.S. Citizenship
and Immigration
Services

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invasion of personal privacy**

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[REDACTED]

FILE:

[REDACTED]

Office: HOUSTON

Date: **APR 11 2006**

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.

Mari Johnson

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The delivery bond in this matter was declared breached by the Field Officer Director, Detention and Removal, Houston, Texas, and is now before the Administrative Appeals Office on appeal. The appeal will be sustained.

The record indicates that on January 29, 2003, the obligor posted a \$7,000 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated September 19, 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 9:00 a.m. on October 27, 2005, at [REDACTED] Houston, TX 77060. The obligor failed to present the alien, and the alien failed to appear as required. On November 30, 2005, the field office director informed the obligor that the delivery bond had been breached.

On appeal, counsel asserts that the bonded alien departed the United States on October 26, 2005 to Pakistan. As evidence, counsel submits a copy of the applicant's boarding pass and airline ticket, which indicate the applicant departed the United States at 8:00 p.m. on October 26, 2005 via [REDACTED]. Counsel also submits a copy of the applicant's passport, which reflects an admission stamp into Pakistan of October 28, 2005.

The authenticity of the applicant's departure has been verified by ICE through its indices. As such, the district director's decision to breach the bond will be withdrawn, and the bond will be canceled.

ORDER: The appeal is sustained. The field office director's decision declaring the bond breached is withdrawn, and the bond will be canceled.