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

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FILE:

Office: CHICAGO

Date: JUL 12 2006

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, Chief  
Administrative Appeals Office

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

The record indicates that on September 30, 2003, the obligor posted an \$8,000 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated February 8, 2006, 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 9:30 a.m. on March 9, 2006, at [REDACTED]. The obligor failed to present the alien, and the alien failed to appear as required. On March 16, 2006, the field office director informed the obligor that the delivery bond had been breached.

The record reflects that a removal hearing was held on May 5, 2005, and the alien was granted voluntary departure from the United States on or before September 2, 2005.

On appeal, the obligor asserts that the bonded alien departed the United States on August 30, 2005. As evidence, the obligor, submits: 1) a copy of the alien's passport, which reflects an admission stamp into India on September 1, 2005; 2) copies of the alien's passenger ticket and boarding pass, which reflects that on August 30, 2005, the alien departed the United States via [REDACTED] and 3) a Form I-286, Notice of Custody Determination bearing the United States Embassy Seal of the Consulate General in Chennai, India and the signature of Consul, [REDACTED] both in their original format. Mr. [REDACTED] indicated that the applicant had appeared before the consulate with proof of her August 30, 2005 departure from the United States.

In addition, ICE records and indices reflect that the alien departed [REDACTED] on August 30, 2005.

Based on the documentation presented on appeal along with ICE records establishing that the bonded alien timely departed the United States, the field office 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.