



U.S. Citizenship
and Immigration
Services

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invasion of personal privacy

[REDACTED]

FILE:

Office: BALTIMORE

Date: AUG 22 2007

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: 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, Baltimore, Maryland, and is now before the Administrative Appeals Office on appeal. The appeal will be sustained.

The record indicates that on June 4, 2003, the obligor posted a \$6,000 bond conditioned for the delivery of the above referenced alien. The Form I-323 dated May 3, 2004, indicates that the bond was breached on October 14, 2003, as the obligor had failed to deliver the alien according to terms of the bond conditioned for the delivery of an alien. The record, however, does not indicate that a Form I-340, Notice to Deliver Alien, was issued prior to bond being breached.

As the record fails to contain any evidence of a Notice to Deliver Alien demanding that the obligor deliver the bonded alien, the breach is not valid and the obligor's argument on appeal does not need to be addressed. The field director's decision declaring the bond breached will be rescinded and the bond will be continued in full force and effect.

ORDER: The appeal is sustained. The field office director's decision declaring the bond breached is rescinded and the bond is continued in full force and effect.