

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

U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



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

PUBLIC COPY

GI



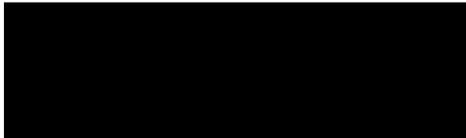
FILE:

Office: COW Date:

OCT 10 2007

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The delivery bond in this matter was declared breached by the Director, Headquarters, Bonds, Immigration and Customs Enforcement (ICE), and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be sustained.

The record indicates that January 30, 1997, the obligor posted a \$3,000 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated February 4, 2004, 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 ICE at 10:00 a.m. on April 6, 2004, at [REDACTED]

[REDACTED] On January 16, 2007, the field office director informed the co-obligor that the delivery bond had been breached on April 6, 2004, because the obligor failed to present the alien as required.

On appeal, the obligor asserts that he and the alien did in fact appear on April 6, 2004 at the Seattle Office. As evidence, counsel provided a copy of the Form I-340 containing handwritten notations by an ICE officer indicating the obligor and the alien were present on April 6, 2004. The authenticity of the handwritten notations on the Form I-340 has been verified by ICE at the Seattle District Office.

After a careful review of the record, it is concluded that the conditions of the bond have not been substantially violated, and the collateral has not been forfeited. The field office 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.