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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE:



Office: CHICAGO

Date:

OCT 30 2008

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.

Mauna Deadrick
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 rejected.

The record indicates that on August 21, 2007, the obligor posted an \$8,500 bond conditioned for the delivery of the above referenced alien. A removal hearing was held on November 8, 2007, and the alien was granted voluntary departure from the United States on or before January 7, 2008. On November 13, 2007, the immigration judge amended his order to read that the respondent's "appearance bond to be maintained as a condition of [voluntary departure]."¹

The appeal has been filed by the bonded alien's attorney. Only an affected party, a person or entity with legal standing may file an appeal of an unfavorable decision. The alien and the attorney are without standing in this proceeding. 8 C.F.R. § 103.3(a)(1)(iii)(B).

An immigration bond is a contract between Immigration and Customs Enforcement (ICE) and the obligor. The obligor or his attorney-in-fact is the proper party to appeal the ICE decision to breach the bond. See *Matter of Insurance Company of North America*, 17 I&N Dec. 251 (Act. Reg. Comm. 1978).

The regulations provide that an appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee ICE has accepted will not be refunded. 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

ORDER: The appeal is rejected.

¹ The court ordered that the delivery bond shall serve as a voluntary departure bond. As there is no evidence that the obligor was present or agreed to bond changes, the delivery bond remains in effect.