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U.S. Citizenship
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Services

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[Redacted]

APR 11 2005

FILE: [Redacted]

Office: LOS ANGELES

Date:

IN RE: Obligor: [Redacted]
Bonded Alien: [Redacted]

IMMIGRATION BOND: Bond Conditioned for Voluntary Departure under § 240B of the Immigration and Nationality Act, 8 U.S.C. § 1229c

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.

Mari Johnson

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The voluntary departure bond in this matter was declared breached by the Field Office Director, Detention and Removal, Los Angeles, California, and is now before the Administrative Appeals Office on appeal. The appeal will be sustained.

The record indicates that on April 11, 2003, the obligor posted a \$500.00 bond conditioned for the voluntary departure of the above referenced alien. An order of the immigration judge (IJ) dated April 4, 2003, was issued granting the alien voluntary departure in lieu of removal on or before June 4, 2003. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On May 25, 2004, the BIA affirmed, without opinion the IJ's decision, and granted the alien voluntary departure within 30 days from the date of the order. On August 4, 2004, the field office director concluded the bond had been breached.

On appeal, the obligor asserts that the bonded alien departed the United States on June 21, 2004. As evidence, the obligor provides an original letter signed by a representative of the American Consulate in Hermosillo, Sonora who indicated that the alien presented herself in Hermosillo on June 21, 2004.

The regulation at 8 C.F.R. § 1240.26(c)(3) provides that in order for the voluntary departure bond to be cancelled, the alien must provide proof of departure to the field office director.

Based on the documentation presented on appeal 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the bonded alien timely departed the United States, the field office director's decision to breach the bond will be withdrawn, and the bond will be cancelled.

ORDER: The appeal is sustained. The bond is cancelled.