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



U.S. Citizenship  
and Immigration  
Services

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FILE:



Office: COW Date:

DEC 03 2007

IN RE:

Obligor:

Bonded Alien:



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.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The voluntary departure bond in this matter was declared breached by the Director, Headquarters, Bonds, Immigration and Customs Enforcement, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The record indicates that on December 15, 2003, the obligor posted a \$500.00 bond conditioned for his voluntary departure. On December 11, 2003, an immigration judge (IJ) issued an order granting the alien voluntary departure in lieu of removal on or before February 11, 2004. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On March 10, 2005, 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 March 31, 2005, the alien filed a petition for review before the United States Courts of Appeals for the Ninth Circuit (Ninth Circuit). On June 16, 2005, the Ninth Circuit dismissed the petition for review for failure to prosecute and indicated that its order shall act as and for the mandate of this court. On May 7, 2007, the field office director concluded the bond had been breached.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

On appeal, the obligor merely indicated that a brief and/or evidence would be submitted within 30 days. However, more than five months later, no additional correspondence has been presented by the obligor.

Inasmuch as the obligor has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, the regulations mandate the summary dismissal of the appeal.

**ORDER:** The appeal is dismissed.