



U.S. Citizenship
and Immigration
Services

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FILE:

Office: LOS ANGELES

Date: FEB 05 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:

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

Robert P. Wiemann, Chief
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 summarily dismissed.

The record indicates that on September 4, 2002, the obligor posted a \$500.00 bond conditioned for his voluntary departure. On August 29, 2002, an immigration judge (IJ) issued an order granting the alien voluntary departure in lieu of removal on or before October 8, 2002. On September 26, 2002, the bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On December 4, 2003, 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 29, 2006, the field office director concluded the bond had been breached on January 3, 2004.

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, counsel asserts that a motion to reopen is in the process of being filed based on effective assistance of counsel. Counsel requested 30 days in which to supplement the appeal. However, more than eight months later, no additional correspondence has been presented by either counsel or the bonded alien.

It is noted for the record that the Executive Office for Immigration Review (EOIR) telephonic alien information system does not reflect that a motion has been filed.

Inasmuch as counsel 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.