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U.S. Department of Homeland Security
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Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED] Office: LOS ANGELES Date: JUL 19 2007

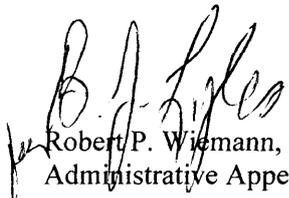
IN RE: Obligor: [REDACTED]
Bonded Alien [REDACTED]

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.


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 dismissed.

The record indicates that on July 14, 2004, the obligor posted a \$500.00 bond conditioned for her voluntary departure. On July 9, 2004, an immigration judge (IJ) issued an order granting the alien voluntary departure in lieu of removal on or before September 7, 2004. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On July 21, 2005, the BIA dismissed the appeal, and granted the alien voluntary departure within 60 days from the date of the order. On August 22, 2005, the alien filed a petition for review before the United States Court of Appeals for the Ninth Circuit (Ninth Circuit). On January 27, 2006, the Ninth Circuit dismissed the petition for review and issued its mandate on February 21, 2006. On July 26, 2006, the field office director concluded the bond had been breached on March 26, 2006.

On appeal, the obligor claims that she was not notified or served with any notices regarding her departure date of March 26, 2006. In its decision, however, the Ninth Circuit the obligor that her temporary stay would continue until issuance of its mandate. The obligor cites no regulation or statute that requires Immigration and Customs Enforcement (ICE) to provide the alien with further notification of her departure date following the issuance of the Ninth Circuit's mandate.

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.

No satisfactory evidence has been introduced into the record to establish the alien made a timely departure. The service of a notice to surrender or the presence of a certified mail receipt is not required in voluntary departure bond proceedings.

Voluntary departure bonds are exacted to ensure that aliens will depart when required in lieu of removal. Such bonds are necessary in order for ICE to function in an orderly manner. After a careful review of the record, it is concluded that the alien failed to depart by the stipulated time, the conditions of the bond have been substantially violated, and the collateral has been forfeited. The decision of the field office director will not be disturbed.

ORDER: The appeal is dismissed.