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**U.S. Citizenship
and Immigration
Services**

ES

FILE:

Office: LOS ANGELES

Date:

MAY 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.

A handwritten signature in black ink, appearing to read "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 (AAO) on appeal. The appeal will be rejected.

The record indicates that on January 6, 2005, the obligor posted a \$500.00 bond conditioned for her voluntary departure. On January 5, 2005, an immigration judge (IJ) issued an order granting the alien voluntary departure in lieu of removal on or before March 7, 2005. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On April 6, 2006, the BIA dismissed the appeal, and granted the alien voluntary departure within 60 days from the date of the order. On October 12, 2006, the alien filed a petition for review before the United States Courts of Appeal for the Ninth Circuit (Ninth Circuit). On November 8, 2006, the field office director concluded the bond had been breached. On December 22, 2006, the Ninth Circuit remanded the matter to the BIA. On January 19, 1997, the alien filed an appeal with the BIA, which is currently pending.

The regulation at 8 C.F.R. § 292.4(a) provides, in part, that “[a] notice of appearance entered in application or petition proceedings must be signed by the obligor to authorize representation in order for the appearance to be recognized by Immigration and Custom Enforcement.”

In the instant case, there is no Form G-28, Entry of Appearance as Attorney or Representative on file. As such, the attorney, [REDACTED], who has filed the Form I-290B has no standing in this proceeding.

Accordingly, pursuant to 8 C.F.R. § 292.4(a), the AAO sought to clarify whether [REDACTED] is authorized to represent the obligor in this proceeding. On February 14, 2007 and March 1, 2007, the AAO telephoned counsel's office and left a message on voicemail requesting that a properly executed Form G-28 be submitted. To date, however, a properly executed Form G-28 has not been submitted to the AAO. As there is nothing in the record that demonstrates that [REDACTED] is the obligor's representative and therefore acting on behalf of a recognized party, counsel is not authorized to file an appeal. 8 C.F.R. § 103.3(a)(1)(iii)(B). As the appeal was not properly file, it will be rejected. 8 C.F.R. § 103.3(a)(2)(v)(A)(I).

ORDER: The appeal is rejected.