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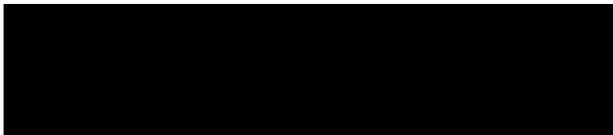
U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE: Office: PHILADELPHIA Date: **MAY 15 2008**

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 cursive script, 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, Philadelphia, Pennsylvania, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The record indicates that on September 22, 2005, an immigration judge (IJ) issued an order granting the alien voluntary departure in lieu of removal on or before November 21, 2005. On September 29, 2005, the obligor posted a \$500.00 bond conditioned for the voluntary departure of the above referenced alien. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On April 26, 2007, the BIA dismissed the appeal, and granted the alien voluntary departure within 60 days from the date of the order. On January 9, 2008, the field office director concluded that the bond had been breached.

On appeal, the obligor asserts that she is attaching evidence that the bonded alien has an appeal pending with the United States Court of Appeals for the Third Circuit (Third Circuit).

An appeal to the federal court of appeals does not stay the execution of the removal order unless the court orders otherwise. Section 242(b)(3)(B) of the Immigration and Nationality Act (the Act) 8 U.S.C. § 1252(b)(3)(B). Furthermore, there is no evidence in the record to indicate that a petition for review had been filed before the Third Circuit or that the Third Circuit has stayed the bonded alien's removal.

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

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.

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.