

Identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

**PUBLIC COPY**

U.S. Department of Homeland Security  
20 Massachusetts Ave., N.W., Room 3000  
Washington, DC 20529-2090  
MAIL STOP 2090



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

G3

[Redacted]

FILE:

[Redacted]

Office: HOUSTON

Date:

NOV 17 2008

IN RE:

Obligor:

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.

A handwritten signature in cursive script, appearing to read "John F. Grissom".

John F. Grissom, Acting Chief  
Administrative Appeals Office

**DISCUSSION:** The voluntary departure bond in this matter was declared breached by the Field Office Director, Detention and Removal, Houston, Texas, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The record indicates that on April 17, 2006, an immigration judge (IJ) issued an order granting the alien voluntary departure in lieu of removal on or before June 16, 2006. On April 19, 2006, the obligor posted a \$500.00 bond conditioned for the voluntary departure of the above referenced alien. On May 17, 2006, the bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On November 27, 2007, the BIA dismissed the appeal, and granted the alien voluntary departure within 60 days from the date of the order. On January 29, 2008, the applicant filed a motion to reopen. On February 11, 2008, the field office director concluded that the bond had been breached.

The appeal has been filed by the bonded alien's attorney. Only an affected party, a person or entity with legal standing may file an appeal of an unfavorable decision. The alien and the attorney are without standing in this proceeding. 8 C.F.R. § 103.3(a)(1)(iii)(B).

An immigration bond is a contract between Immigration and Customs Enforcement (ICE) and the obligor. The obligor or his attorney-in-fact is the proper party to appeal the ICE decision to breach the bond. *See Matter of Insurance Company of North America*, 17 I&N Dec. 251 (Act. Reg. Comm. 1978).

The regulations provide that an appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee ICE has accepted will not be refunded. 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

**ORDER:** The appeal is rejected.