**U.S. Department of Homeland Security**
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20529

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

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[redacted]

FILE: [redacted] Office: LOS ANGELES Date: NOV 2004

IN RE: Obligor: [redacted]
Bonded Alie

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.

Mari Johnson

for Robert P. Wiemann, Director
Administrative Appeals Office

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**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 sustained.

The record indicates that on March 15, 2000, the obligor posted a $500.00 bond conditioned for her voluntary departure. An order of the immigration judge (IJ) dated March 13, 2000, was issued granting the alien voluntary departure in lieu of removal on or before May 12, 2000. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On January 8, 2002, the BIA dismissed the appeal and granted the alien voluntary departure within 30 days from the date of the order. On February 24, 2004, the field office director concluded the bond had been breached.

On appeal, the obligor asserts that she departed the United States on February 4, 2002. As evidence, the obligor provides a copy of the BIA's decision issued on January 8, 2002, containing a verification of departure insignia indicating that the alien departed from the El Paso port of entry to Mexico on February 4, 2002.

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.

Based on the documentation presented on appeal establishing that the bonded alien timely departed the United States, the field office director's decision to breach the bond will be withdrawn, and the bond will be cancelled.

**ORDER:** The appeal is sustained. The bond is cancelled.