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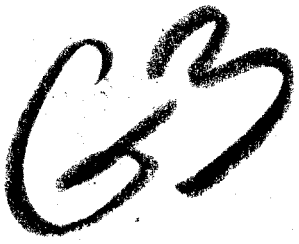
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529

U.S. Citizenship and Immigration Services



[redacted]

JAN 1 2 2005

FILE: [redacted] Office: NEW YORK Date:

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

Robert P. Wiemann, Director
Administrative Appeals Office

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

The record indicates that on July 21, 1999, the obligor posted a $500.00 bond conditioned for his voluntary departure. An order of the immigration judge (IJ) dated July 16, 1999, was issued granting the alien voluntary departure in lieu of removal on or before September 14, 1999. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On March 22, 2002, the BIA dismissed the appeal, and granted the alien voluntary departure within 30 days from the date of the order. On May 5, 2003, the field office director concluded the bond had been breached.

The record reflects that at the time the appeal was filed, a breach notice had not been issued by the field office director. As such, there was no issue before the AAO as of the date of the appeal. 8 C.F.R. § 103.3.

ORDER: The appeal is rejected.