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

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FILE:



Office: PHOENIX (LVG)

Date:

JAN 10 2007

IN RE:

Obligor:
Bonded Alien:



IMMIGRATION BOND:

Bond Conditioned for the Delivery of an Alien under Section 103 of the
Immigration and Nationality Act, 8 U.S.C. § 1103

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.

Robert P. Wiemann, Center
Administrative Appeals Office

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

The record indicates that on February 11, 2003, the obligor posted a \$2,000 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated July 19, 2004, was sent to the obligor via certified mail, return receipt requested. The notice demanded the bonded alien's surrender into the custody of an officer of Immigration and Customs Enforcement (ICE) at 9:00 a.m. on September 8, 2004, at [REDACTED]. The obligor failed to present the alien, and the alien failed to appear as required. On September 15, 2004, the field office director informed the obligor that the delivery bond had been breached.

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 Mr. [REDACTED] is authorized to represent the obligor in this proceeding. On November 29, 2006, the AAO telephoned counsel's office and spoke with his assistant who indicated that counsel no longer represents the obligor. Accordingly, there is no evidence that Mr. [REDACTED] is authorized to represent the obligor in this proceeding and to file Form I-290B on behalf of the obligor. As there is nothing in the record that demonstrates that Mr. [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)(1).

ORDER: The appeal is rejected