

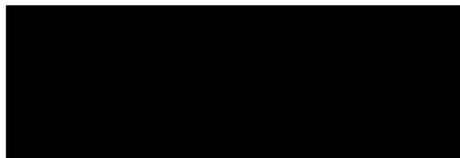
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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services



GI

FILE: [REDACTED] Office: ST. LOUIS Date: SEP 02 2009

IN RE: Obligor: [REDACTED]
Bonded Alien: [REDACTED]

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

IN BEHALF OF OBLIGOR:



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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. §103.5(a)(1)(i).

John F. Grissom
Acting Chief, Administrative Appeals Office

DISCUSSION: The delivery bond in this matter was declared breached by the Field Office Director, Detention and Removal, St. Louis, Missouri, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The record indicates that on July 12, 2002, the obligor posted a \$12,000 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated May 7, 2009, 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 10:00 a.m. on May 22, 2009, at 1222 Spruce Street, St. Louis, MO 63103. The obligor failed to present the alien, and the alien failed to appear as required. On May 27, 2009, the field office director informed the obligor that the delivery bond had been breached.

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.

On appeal, counsel asserted that the obligor never received the Form I-340 and, therefore, the breach of the bond was issued in error.¹ Counsel indicated that a brief would be submitted to the AAO within 30 days. However, 60 days later, no additional correspondence has been presented by counsel or the obligor.

Inasmuch as counsel 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.

¹ The record establishes that the Notice to Deliver Alien was properly served on the obligor by sending it to his address of record in compliance with 8 C.F.R. § 103.5a(a)(2)(iv). The notice was returned by the United States Post Office as unclaimed. The obligor's failure to receive the Form I-340 must be considered to be of his own making.