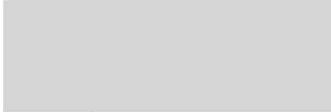




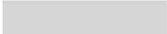
U.S. Citizenship
and Immigration
Services

(b)(6)



DATE: JUL 15 2015

Office: DETROIT

FILE: 

IN RE: Obligor:
Bonded Alien:



IMMIGRATION BOND:

Bond Conditioned upon an alien's compliance with an Order of Supervision under Section 103 of the Immigration and Nationality Act, 8 U.S.C. §§ 1103 and 1231(a)(3).

ON BEHALF OF OBLIGOR:



INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case. This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions.

Thank you,

A handwritten signature in black ink, appearing to be "Ron Rosenberg".

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The order of supervision in this matter was declared breached by the Field Office Director, Enforcement and Removal Operations, New York, New York, and is now before the Administrative Appeals Office on appeal. The appeal will be sustained.

On June 1, 2006, a Form I-220B, Order of Supervision, was issued by Immigration and Customs Enforcement (ICE), which specified the conditions of supervision. The Form I-352, Immigration Bond, dated June 1, 2006, indicates that the obligor posted a \$5,000 bond conditioned upon an alien's compliance with an order of supervision. A Form I-340, Notice to Deliver Alien, dated July 3, 2014, was sent to the obligor via regular mail.¹ The notice demanded the bonded alien's appearance for an interview before ICE at 9:00 a.m. on July 14, 2014, at [REDACTED]. On July 15, 2014, the field office director informed the obligor that the bond had been breached.

On appeal, counsel asserts that the bonded alien's next appointment, under the order of supervision, was set for August 25, 2014. Counsel states that the interview date of July 14, 2014 was not contained in the order of supervision and is irregular when viewed against the totality of the other required dates which the bonded alien was to appear. As evidence, counsel submits a copy of the bonded alien's Form I-220B, which indicates that the alien last reported to ICE on May 27, 2014 and that his next scheduled appearance was to occur on August 25, 2014.

In accordance with the Enforcement and Removal Operations, Bond Management Handbook, effective August 19, 2014, an order of supervision bond is not conditioned upon the delivery of an alien. In the instant case, the issuance of the Form I-340 was in error as it is only issued for delivery bonds. Therefore, the field office director's decision declaring the bond breached will be rescinded and the bond will be continued in full force and effect.

ORDER: The appeal is sustained. The field office director's decision declaring the bond breached is withdrawn and the order of supervision bond is continued in full force and effect.

¹ A Form I-340 dated June 19, 2014 was also sent to the obligor via certified mail, return receipt requested; however, it was returned by the U.S. Postal Service as unclaimed.