



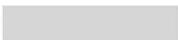
U.S. Citizenship
and Immigration
Services

(b)(6)



DATE: JUL 16 2015

Office: SAN DIEGO, CA

FILE: 

IN RE:

Obligor:

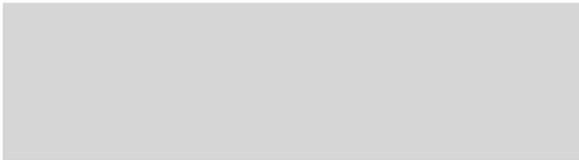
Bonded Alien:



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:



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 read "Ron Rosenberg".

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The delivery bond in this matter was declared breached by the Field Office Director, Enforcement and Removal, San Diego, California, and is now before the Administrative Appeals Office on appeal. The appeal will be sustained.

The record indicates that on December 4, 2012, the obligor posted a \$5,000 bond conditioned for the delivery of the above referenced alien. A Notice to Deliver Alien (Form I-340) dated November 6, 2014, 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 12:00 p.m. on December 4, 2014, at [REDACTED]. The obligor failed to present the alien and the alien failed to appear as required. Subsequently, a Notice to Deliver Alien dated December 5, 2014, was sent to the obligor via regular mail. The notice demanded the bonded alien's surrender into the custody of an officer of Immigration and Customs Enforcement (ICE) at 11:00 a.m. on December 23, 2014, at [REDACTED]. On January 13, 2015, the field office director issued a Notice-Immigration Bond Breached (Form I-323), which informed the obligor that the delivery bond had been breached on December 4, 2014.

The issuance of the new demand notice with a surrender date of December 23, 2014, superseded the prior demand notice of November 6, 2014. As such, the field office director's decision declaring the bond breached on December 4, 2014 is not valid and the field office director's decision declaring the bond breached will be rescinded.

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 The field office director's decision declaring the bond breached is withdrawn and the bond is continued in full force and effect.