

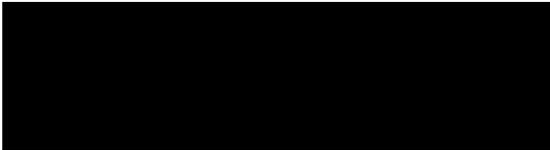
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U.S. Citizenship
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FILE:



Office: DALLAS

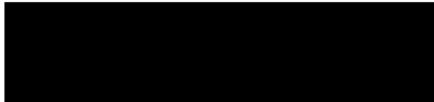
Date:

JUL 27 2007

IN RE:

Obligor:

Bonded Alien:



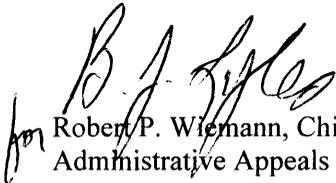
IMMIGRATION BOND:

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.


Robert P. Wiemann, Chief
Administrative Appeals Office

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

The record indicates that on January 27, 2004, the obligor posted a \$5000.00 bond conditioned for his voluntary departure. On January 23, 2004, an immigration judge (IJ) issued an order granting the alien voluntary departure in lieu of removal on or before March 23, 2004. On February 17, 2004, the bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On January 28, 2005, the BIA affirmed, without opinion, the IJ's decision, and granted the alien voluntary departure within 30 days from the date of the order. On February 25, 2005, the alien filed a motion to reopen before the BIA. On March 25, 2005, the BIA denied the motion to reopen. On September 6, 2005, the field office director concluded the bond had been breached on February 28, 2005.

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 [REDACTED] is authorized to represent the obligor in this proceeding. On June 14, 2007, the AAO telephoned counsel's office and was informed that counsel no longer represents the obligor.¹ Counsel was informed that although he no longer represents the obligor, a Form G-28 must be submitted to establish his authority to act for the obligor on the date the Form I-290B was filed. On June 20, 2007, a second request was made for the Form G-28. To date, the requested form has not received by the AAO. As there is nothing in the record that demonstrates that [REDACTED] was the obligor's authorized representative and therefore acting on behalf of an affected party, [REDACTED] is not authorized to file an appeal. 8 C.F.R. § 103.3(a)(1)(iii)(B). As the appeal was not properly filed, it must be rejected. 8 C.F.R. § 103.3(a)(2)(v)(A)(I).

ORDER: The appeal is rejected.

¹ Counsel faxed a signed statement on June 14, 2007, indicating that his office no longer represents the obligor.