U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
(b) (6)

In the Matter of:
(b) (6)
RESPONDENT

Case No.: (b) (6)

IN REMOVAL PROCEEDINGS

ORDER OF THE IMMIGRATION JUDGE

Upon the basis of respondent's admissions, I have determined that the respondent is subject to removal on the charge(s) in the Notice to Appear.

Respondent has made no application for relief from removal.

It is HEREBY ORDERED that the respondent be removed from the United States to **MEXICO** on the charge(s) contained in the Notice to Appear.

Any alien against whom a final order of removal is outstanding by reason of being a member of any of the classes described in INA section 237(a), who willfully fails or refuses to present himself or herself for removal at the time and place required by the Attorney General shall be fined and/or imprisoned for up to ten years. Further, any alien who willfully fails or refuses to depart from the United States pursuant to a final removal order or present for removal at the time and place required by the Attorney General shall pay a civil penalty of not more than $500 to the Commissioner for each day the alien is in violation of this section.

Michael J. Yamaguchi
Immigration Judge
Date: April 20, 2009

Appeal: NO APPEAL (A/I/B)
Appeal Due By:

CERTIFICATE OF SERVICE
THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)
TO: [ ] ALIEN [ ] ALIEN c/o Custodial Officer [ ] Alien's ATT/REP [X] DHS
DATE: 4/20/09 BY: COURT STAFF RA
Attachments: [ ] EOIR-33 [ ] EOIR-28 [ ] Legal Services List [ ] Other
Form EOIR 7 - 4T (REMOVAL Order)

File: (b) (6) Date: JAN 19 2007

In re: (b) (6)

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Martin Resendez-Guajardo, Esquire

ON BEHALF OF DHS: Michael D. Steinberg
Assistant Chief Counsel

CHARGE:

Notice: Sec. 212(a)(6)(A)(i), I&N Act [8 U.S.C. § 1182(a)(6)(A)(i)] - Present without being admitted or paroled

APPLICATION: Cancellation of removal

ORDER:

PER CURIAM. This case is presently before us pursuant to the (b) (6) decision of the United States Court of Appeals for the (b) (6) The court found that the record was not sufficient to establish that the respondent's conviction was for a crime of domestic violence, and that he therefore was not statutorily ineligible for cancellation of removal. It remanded the case for further consideration of the respondent's application for that relief. Accordingly, the decision of the Board in this case dated March 11, 2004, is vacated and the record is remanded to the Immigration Judge for further proceedings consistent with the court's decision.

FOR THE BOARD