U.S. Department of Justice
Executive Office for Immigration Review

Falls Church, Virginia 22041

Decision of the Board of Immigration Appeals

File: (b) (6)

Date:

In re: (b) (6)

SEP - 8 2005

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: McKenzie, Michele Garnett, Esquire

ORDER:

PER CURIAM. The respondent's appeal of the Immigration Judge's denial of applications for asylum, withholding of removal, and protection under the Convention Against Torture was dismissed by the Board on July 9, 2003. Thereafter, it was appealed to the United States Court of Appeals for the (b) (6), which issued a decision, remanding the appeal for a determination as to the respondent's credibility and further analysis of what material facts should have been reasonably corroborated and a determination as to whether the testimony and corroborating evidence established past persecution. *See* (b) (6) *v. Ashcroft*, (b) (6) Subsequent to the remand, counsel for the respondent informed the Board that the respondent had been granted asylum in Canada on June 20, 2005, and had departed the United States, acknowledging that the departure constituted a withdrawal of the appeal. *See* 8 C.F.R. § 1003.4. Since there is nothing now pending before this Board, the record is returned to the Immigration Court without further action.

FOR THE BOARD