**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
**OFFICE OF THE IMMIGRATION JUDGE**
(b) (6)

In the Matter of: (b) (6) A Number: A (b) (6)

## ORDER OF THE IMMIGRATION JUDGE

Upon consideration of respondent's Motion to Terminate Proceedings Based upon Adjustment of Status, it is HEREBY ORDERED that the motion be ☑ **GRANTED** ☐ **DENIED** because:

☑ DHS does not oppose the motion.
☐ The respondent does not oppose the motion.
☐ A response to the motion has not been filed with the court.
☐ Good cause has been established for the motion.
☐ The court agrees with the reasons stated in the opposition to the motion.
☐ The motion is untimely per _____.
☐ Other:

Deadlines:

☐ The application(s) for relief must be filed by _____.
☐ The respondent must comply with DHS biometrics instructions by _____.

3/31/09
Date

Immigration Judge John Milo Bryant

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

Decision of the Board of Immigration Appeals

Falls Church, Virginia 22041

File: (b) (6)

Date:

In re: (b) (6)

MAR 19 2007

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: David Garfield, Esquire

APPLICATION: Asylum; withholding of removal; protection under the Convention Against Torture

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 Immigration Judge erred in requiring the respondent to prove that the government 's sole motive for persecuting him was political, and it remanded the case for consideration whether the respondent is eligible for asylum based on the mixed motive standard. Following the court's remand, the respondent filed a motion with the Board seeking a further remand to the Immigration Judge. Pursuant to the court's decision, the record is remanded to the Immigration Judge for further proceedings consistent with the court's decision.

FOR THE BOARD

OR