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) NOV 15 2004

IN DEPORTATION PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Domingo, Rhoda Wilkinson

ON BEHALF OF DHS: Helen Bouras, Assistant Chief Counsel

APPLICATION: Reopening

The respondent and the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) in a joint motion move to reopen the proceedings and remand for consideration of an application for adjustment of status under section 245 of the Immigration and Nationality Act, 8 U.S.C. 1255, based upon an approved visa petition filed on the respondent's behalf by her United States citizen husband. We will grant the motion and remand the case for further proceedings.

ORDER: The motion is granted, the proceedings are reopened, and the record is remanded for further proceedings.

FOR THE BOARD

UNITED STATES DEPARTMENT OF JUSTICE
U.S. Immigration Court

[redacted]

File(s): [redacted]

In the Matter of

[redacted]

Respondent(s)/~~Applicant(s)~~

In ~~Deportation/Exclusion~~ Rescission Proceedings

MEMORANDUM OF ORAL DECISION

✓ Respondent/~~Applicant~~ was granted/denied ~~asylum~~ under Section 208(a) of the Act. AS moot

✓ Respondent/~~Applicant~~ was granted/denied withholding of deportation under Section 243(h) of the Act. AS moot

Respondent was granted/denied relief under Section _____.

Respondent was granted/denied suspension of deportation under Section 244(a) of the Act.

Applicant/Respondent was granted a waiver under Section _____ of the Act and the proceedings were terminated.

✓ Respondent was granted/~~denied~~ adjustment of status under Section 245 of the Act.

The Applicant's request for leave to withdraw the application for admission to the United States was granted.

Applicant is admitted as a _____ non-immigrant until _____.

On condition that a maintenance of status and departure bond in the amount of $_____ be posted.

Respondent's adjustment of status was rescinded under Section 246 of the Act.

The proceedings were terminated.

Applicant has been ordered excluded and deported from the United States.

Respondent was granted voluntary departure on or before _____ with alternate order of deportation to _____ or _____.

Respondent was ordered deported to _____ or _____.

✓ The Service/Respondent/Applicant has/~~have~~ waived appeal.

The Service/Respondent/Applicant has/have reserved appeal which must be filed by _____.

XX THIS MEMORANDUM HAS BEEN SERVED ON THE RESPONDENT/APPLICANT AND COUNSEL.

If the decision is appealed (except in bond redetermination proceedings), the full text or oral decision will be transcribed and will become the official decision.

Other: Torture Conv. Applic. Denied; Final Decision

Date: 4/25/05

Alberto E. Gonzalez
Immigration Judge