File: (b) (6) Date:

In re (b) (6)

IN REMOVAL PROCEEDINGS

FEB 24 2004

APPEAL

ON BEHALF OF RESPONDENT: Pro se[1]

ON BEHALF OF DHS: Jeffrey T. Bubier
Assistant District Counsel

CHARGE:

Notice: Sec. 212(a)(6)(C)(i), I&N Act [8 U.S.C. § 1181(a)(6)(C)(i)] -
Fraud or willful misrepresentation of a material fact

Sec. 212(a)(7)(A)(i)(I), I&N Act [8 U.S.C. § 1182(a)(7)(A)(i)(I)] -
Immigrant - no valid immigrant visa or entry document

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

ORDER:

PER CURIAM. Pursuant to the (b) (6) decision of the United States Court of Appeals for the (b) (6) the record is remanded to the Immigration Judge for further proceedings in accordance with the court's decision.

FOR THE BOARD

[1] We note that this appeal was filed on behalf of the respondent by a person identified as Ayodele Gansallo. However, absent a Form G-28, Notice of Entry of Appearance by Attorney or Representative, Ayodele Gansallo cannot be recognized as the respondent's representative herein.

IMMIGRATION COURT

(b) (6)

In the Matter of

(b) (6)

Respondent

Case No. (b) (6)

IN REMOVAL PROCEEDINGS

D'Angelo, Esq.

ORDER OF THE IMMIGRATION JUDGE

This is a summary of the oral decision entered on May 13, 2004. This memorandum is solely for the convenience of the parties. If the proceedings should be appealed or reopened, the oral decision will become the official opinion in the case.

[ ] The respondent was ordered removed from the United States to _____ or in the alternative to _____

[ ] Respondent's application for voluntary departure was denied and respondent was ordered removed to _____ alternative to _____

[ ] Respondent's application for voluntary departure was granted until _____ upon posting a bond in the amount of $ _____ with an alternate order of removal to _____

[ ] Respondent's application for asylum was ( )granted ( )denied ( )withdrawn.

[ ] Respondent's application for withholding of removal was ( )granted ( )denied ( )withdrawn.

[ ] Respondent's application for cancellation of removal under section 240A(a) was ( )granted ( )denied ( )withdrawn.

[ ] Respondent's application for cancellation of removal was ( ) granted under section 240A(b)(1) ( ) granted under section 240A(b)(2) ( ) denied ( ) withdrawn. If granted, it was ordered that the respondent be issued all appropriate documents necessary to give effect to this order.

[ ] Respondent's application for a waiver under section _____ of the INA was ( )granted ( )denied ( )withdrawn or ( )other.

[ ] Respondent's application for adjustment of status under section _____ of the INA was ( )granted ( )denied ( )withdrawn. If granted, it was ordered that respondent be issued all appropriate documents necessary to give effect to this order.

[ ] Respondent's status was rescinded under section 246.

[ ] Respondent is admitted to the United States as a _____ until _____.

[ ] As a condition of admission, respondent is to post a $ _____ bond.

[ ] Respondent knowingly filed a frivolous asylum application after proper notice.

[ ] Respondent was advised of the limitation on discretionary relief for failure to appear as ordered in the Immigration Judge's oral decision.

[ ] Proceedings were terminated.

[ ] Other: CAT Granted; Withholding to Dem. Republic of Congo

Date:

Appeal: Waived Reserved Appeal Due By:

WALTER A. DURLING
Immigration Judge

RYS