File: (b) (6)

Date: SEP 11 2012

In re: (b) (6)

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Joseph Sekula, Esquire

APPLICATION: Adjustment of status

This case is before the Board pursuant to a February 14, 2012, order of the United States Court of Appeals for the (b) (6) Circuit. (b) (6) The court of appeals concluded that the respondent is not inadmissible under section 212(a)(6)(C)(ii) of the Immigration and Nationality Act, 8 U.S.C. § 1182(a)(6)(C)(ii). In light of this determination, the record will be remanded to the Immigration Judge for further proceedings not inconsistent with the Third Circuit's order. Accordingly, the following order will be entered:

ORDER: The record is remanded to the Immigration Judge for further proceedings and the entry of a new decision.

Ellen Rubowitz
FOR THE BOARD