



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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**DHS/ICE Office of Chief Counsel - NYC
26 Federal Plaza, 11th Floor
New York, NY 10278**

Name: T [REDACTED], A [REDACTED]

A [REDACTED]-662

Date of this notice: 5/8/2018

Enclosed is a copy of the Board's decision and order in the above-referenced case.

Sincerely,

Donna Carr

Donna Carr
Chief Clerk

Enclosure

Panel Members:
Grant, Edward R.

Userteam: Docket

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Falls Church, Virginia 22041

File: [REDACTED] 662 – New York, NY

Date: **MAY - 8 2018**

In re: A [REDACTED] T [REDACTED] a.k.a. [REDACTED] [REDACTED]

IN REMOVAL PROCEEDINGS


MOTION

ON BEHALF OF RESPONDENT: Barry R. Goldberg, Esquire

APPLICATION: Reopening; termination

The respondent has been lawfully in the United States under the Immigration Judge's grant of withholding of removal to Guinea since the Board's July 26, 2012, final administrative decision. The respondent has now filed a motion to reopen and terminate the proceedings to apply for adjustment of status with the United States Citizenship and Immigration Services ("USCIS"). The USCIS recently approved a marriage-based visa petition (Form I-130) filed on the respondent's behalf by her United States citizen husband. The Department of Homeland Security ("DHS") has not opposed the motion. 8 C.F.R. § 1003.2(g)(3). Given the lack of DHS opposition, the respondent's lawful status in the United States, and the other evidence presented, we will sua sponte grant the respondent's motion to reopen and terminate the proceedings. 8 C.F.R. § 1003.2(a); *Matter of J-J-*, 21 I&N Dec. 976, 984 (BIA 1997). Accordingly, the following order is entered.

ORDER: The motion is granted, and the proceedings are terminated without prejudice.



FOR THE BOARD