



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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**Name: SILVA-RAUDALES, JUAN EVAN  
Riders: [REDACTED]**

**A 213-441-409**

**Date of this notice: 8/20/2020**

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:  
Adkins-Blanch, Charles K.  
Kelly, Edward F.  
Mann, Ana

WAF/AR

Userteam: Docket

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*RL*

Falls Church, Virginia 22041

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Files: A213-441-409 – Oakdale, LA  
[REDACTED]

Date:

**AUG 20 2020**

In re: Juan Evan SILVA-RAUDALES  
[REDACTED]

IN REMOVAL PROCEEDINGS

INTERLOCUTORY APPEAL

ON BEHALF OF RESPONDENTS: Carly Louise Stadum-Lang, Esquire

The respondents filed this interlocutory appeal challenging an Immigration Judge's order, dated July 16, 2020, denying a motion for counsel to appeal telephonically. The Immigration Judge's order states that the motion was denied because of "judicial economy." The respondents are currently scheduled for another hearing before the Immigration Judge in August 2020. The appeal will be sustained and the record remanded.

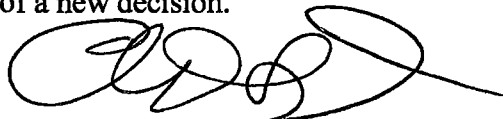
To avoid piecemeal review of the multiple queries that may arise during the course of removal proceedings, the Board does not ordinarily entertain interlocutory appeals. *See Matter of M-D-*, 24 I&N Dec. 138, 139 (BIA 2007). The rationale for the Immigration Judge's decision, however, is unclear. Counsel for the respondents submitted a lengthy motion discussing issues related to travelling and COVID-19, whereas the Immigration Judge's decision does not provide us with reasons and bases for why counsel might not be permitted to appear telephonically, as she is apparently located in California.

There is a question, therefore, before us concerning whether the respondents' case will be prejudiced by proceedings continuing without counsel being permitted to appear telephonically. *See generally, Matter of Dobere*, 20 I&N Dec. 188 (BIA 1990). The issue raised in this interlocutory appeal falls within the limited ambit of cases where we deem it appropriate to exercise our jurisdiction. We will remand the record for the Immigration Judge to reconsider the respondents' motion and to provide reasons and basis for whatever the ruling may be. By this remand, however, we do not intimate that any particular result should necessarily be reached.

In light of the foregoing, the following orders will be entered.

ORDER: Immigration Judge's order dated July 16, 2020, order is vacated.

FURTHER ORDER: The record is remanded for further proceedings consistent with the foregoing and for the entry of a new decision.



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FOR THE BOARD