



**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 - ATL  
180 Spring Street, Suite 332  
Atlanta, GA 30303**

**Name: GARCIA-VELAZQUEZ, CHRISTI...**

**A 205-132-924**

**Date of this notice: 11/18/2014**

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:  
Manuel, Elise

10/20/14

Userteam: Docket

For more unpublished BIA decisions, visit [www.irac.net/unpublished](http://www.irac.net/unpublished)

*Handwritten initials*

Falls Church, Virginia 20530

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File: A205 132 924 – Atlanta, GA

Date: **NOV 18 2014**

In re: CHRISTIAN GERARDO GARCIA-VELAZQUEZ a.k.a. Christian G. Garcia-Velazquez  
a.k.a. Christian Garcia-Velazquez

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Luis J. Perez-Eguiarte, Esquire

ON BEHALF OF DHS: Greg Radics  
Assistant Chief Counsel

APPLICATION: Administrative closure

The respondent, a native and citizen of Mexico, has appealed from the Immigration Judge's February 28, 2013, decision ordering his removal. An order administratively closing proceedings will be entered.

In his written pleadings, the respondent sought administrative closure so that he might file an application for Deferred Action for Childhood Arrivals ("DACA"). On appeal, the respondent submitted a receipt notice indicating his filing of an application for Consideration of Deferred Action for Childhood Arrivals. It presently appears that the respondent's application for DACA benefits has been approved. We conclude that administrative closure of these proceedings is therefore appropriate. *See generally Matter of Avetisyan*, 25 I&N Dec. 688 (BIA 2012).

If either party to this case wishes to reinstate the proceedings, a written request to reinstate the proceedings may be made to the Board. The Board will take no further action in the case unless a request is received from one of the parties. The request must be submitted directly to the Clerk's Office, without fee, but with certification of service on the opposing party.

ORDER: The proceedings before the Board of Immigration Appeals in this case are administratively closed.

  
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FOR THE BOARD

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
ATLANTA, GEORGIA

File: A205-132-924

February 28, 2013

In the Matter of

CHRISTIAN GERARDO GARCIA-VELASQUEZ )  
RESPONDENT )

IN REMOVAL PROCEEDINGS

CHARGES: 212(a)(6)(A)(i).

APPLICATIONS: Termination and continuance.

ON BEHALF OF RESPONDENT: LUIS PEREZ-EGUIARTE

ON BEHALF OF DHS: GREGORY E. RADICS

ORAL DECISION OF THE IMMIGRATION JUDGE

The respondent is an adult male, native and citizen of Mexico, who was placed in removal proceedings with the filing of a Notice to Appear with the Court charging removability pursuant to the provisions of 212(a)(6)(A)(i) of the INA. At a master calendar, the respondent filed written pleadings signed by himself, as well as counsel, acknowledging proper service of the charging document, admitting the factual allegations, conceding removability. He did not request any relief from the Court. The written pleadings indicate that he intends to apply for a "DACA registry." Deferred Action Childhood Arrival is not a judicial remedy. It is relief available through an

executive order. The provisions for DACA indicate that even a final order of removal does not preclude that relief. Therefore, there is no reason for the Court to continue for an individual to seek extra-judicial relief that does not affect anything the Court does. Additionally, the respondent requested termination. However, given the fact that there is a charge of removability that has been conceded, the Court would find that removability has been established by clear and convincing evidence. There is no reason to continue the case. No other relief has been requested, in spite of repeated questions by the Court. Therefore, the Court has no option other than order of removal from the United States to Mexico on the charge contained in the Notice to Appear.

**Please see the next page for electronic**

**signature**

J. DAN PELLETIER  
Immigration Judge

//s//

Immigration Judge J. DAN PELLETIER

pelletij on June 7, 2013 at 6:07 PM GMT