



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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**Name: MILLER, EUNICE NSHEKA**

**A 098-421-064**

**Date of this notice: 1/22/2014**

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:  
Miller, Neil P.

williams  
Userteam: Docket

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*SC*

Falls Church, Virginia 20530

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File: A098 421 064 – Baltimore, MD

Date: JAN 22 2014

In re: EUNICE NSHEKA MILLER a.k.a. Eunice Magangara a.k.a. Eunice Majura

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Jessica Salsbury, Esquire

APPLICATION: Reopening; termination

ORDER:

This case was last before the Board on January 17, 2007, when we dismissed the respondent's appeal from an Immigration Judge's denial of a motion to reopen. On November 29, 2013, the respondent filed a motion to reopen and terminate. The motion shall be granted.

The respondent seeks reopening and termination because she was granted U-1 nonimmigrant visa status (Motion, Exh. A).

We will exercise our sua sponte authority to reopen these proceedings, *see Matter of J-J-*, 21 I&N Dec. 976 (BIA 1997), because 8 C.F.R. § 214.14(c)(5)(i) provides that an order of removal shall be deemed canceled by operation of law as of the date of the USCIS' approval of Form I-918, which is the application for a U-1 nonimmigrant visa. Accordingly, the motion to reopen is granted, the proceedings are terminated, and the record is returned to the Immigration Court without further action.

  
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FOR THE BOARD