



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

5107 Leesburg Pike, Suite 2000  
Falls Church, Virginia 22041

**RAMIREZ-GUEVARA, LUIS ALFONSO  
A216-547-161  
PPC  
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**Name: RAMIREZ-GUEVARA, LUIS ALF...**

**A 216-547-161**

**Date of this notice: 1/23/2020**

Enclosed is a copy of the Board's decision in the above-referenced case. If the attached decision orders that you be removed from the United States or affirms an Immigration Judge's decision ordering that you be removed, any petition for review of the attached decision must be filed with and received by the appropriate court of appeals within 30 days of the date of this decision.

Sincerely,

Donna Carr  
Chief Clerk

Enclosure

Panel Members:  
Liebmann, Beth S.  
Kelly, Edward F.  
Couch, Stuart V.

H:\m\o\y\l  
User team: Docket

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Falls Church, Virginia 22041

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File: A216-547-161 – Oakdale, LA

Date:

**JAN 23 2020**

In re: Luis Alfonso RAMIREZ GUEVARA

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Pro se

APPLICATION: Continuance

The respondent, a native and citizen of El Salvador, has appealed the Immigration Judge's decision dated September 17, 2019. The record will be remanded.

We review the findings of fact, including the determination of credibility, made by the Immigration Judge under the "clearly erroneous" standard. 8 C.F.R. § 1003.1(d)(3)(i). We review all other issues, including issues of law, discretion, or judgment, under a de novo standard. 8 C.F.R. § 1003.1(d)(3)(ii).

At a hearing on September 17, 2019, the Immigration Judge deemed any applications for relief abandoned as not timely filed (Tr. at 25-27). The respondent, on appeal, argues that the Immigration Judge erred in deeming any applications for relief abandoned. The respondent notes that, at the August 27, 2019, hearing, the Immigration Judge first set a filing deadline of September 17, 2019, but later in the hearing provided the respondent more time to file any applications for relief, setting a new filing deadline of September 24, 2019 (Tr. at 21-22). The transcript supports the respondent's recollection. Thus, as any applications for relief were not, in fact, due by September 17, 2019, we will remand the record to the Immigration Judge for further proceedings, including an opportunity for the respondent to seek any available relief.

Accordingly, the following order will be entered.

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

  
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FOR THE BOARD