



**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 - BAL  
31 Hopkins Plaza, Room 1600  
Baltimore, MD 21201**

**Name: TORRES, GERMAN**

**A 074-291-150**

**Date of this notice: 3/22/2016**

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

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File: A074 291 150 – Baltimore, MD

Date:

In re: GERMAN TORRES

MAR 22 2016

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Kermit Monge, Esquire

ON BEHALF OF DHS: Jason L. Pope  
Assistant Chief Counsel

APPLICATION: Reopening

The respondent, a native and citizen of El Salvador, was ordered removed in absentia on May 16, 2007. On December 9, 2014, the respondent filed the instant motion to reopen proceedings, which an Immigration Judge denied on January 30, 2015. The respondent filed a timely appeal of that decision. The record will be remanded.

The respondent challenges the Immigration Judge's decision and argues that the Immigration Judge did not consider his explanation for failing to appear or otherwise address his arguments. The Immigration Judge's decision consisting of a checklist and several sentences denying the respondent's motion to reopen proceedings is inadequate as it fails to include specific findings of fact and substantive analysis addressing the reasons stated in the respondent's motion to reopen. *See Matter of A-P-*, 22 I&N Dec. 468 (BIA 1999); *Matter of M-P-*, 20 I&N Dec. 768 (BIA 1994). Accordingly, we will return the record to the Immigration Judge to specifically address the respondent's contentions and for the entry of a new decision.

ORDER: The record is returned to the Immigration Judge for further proceedings consistent with the above opinion.

  
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FOR THE BOARD

U.S. DEPARTMENT OF JUSTICE  
Executive Office for Immigration Review  
Office of the Immigration Judge

In the Matter of:

German TORRES FLORES

RESPONDENT/APPLICANT

Case No.: A A074-291-150

Docket: \_\_\_\_\_

IN REMOVAL PROCEEDINGS

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of respondent's/applicant's

- ☐ Motion to Reconsider an Immigration Judge's decision  
☒ Motion to Reopen proceedings

filed in the above entitled matter, it is **HEREBY ORDERED** that the motion

- ☐ be granted.  
☒ be denied

- Motion to reopen is time-barred.
- Respondent fails to meet eligibility for reopening.
- See 8 CFR § 1003.23

Phillip Williams  
Immigration Judge

Date: Jan 30, 2015

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