



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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Falls Church, Virginia 22041

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Mineola, NY 11501**

**DHS/ICE Office of Chief Counsel - DAL  
125 E. John Carpenter Fwy, Ste. 500  
Irving, TX 75062-2324**

**Name: DEL CID-MELARA, OSCAR ANT...      A 205-875-351**

**Date of this notice: 8/26/2013**

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:  
Holmes, David B.  
Guendelsberger, John  
Manuel, Elise

TranC  
Userteam: Docket

*DM*

Falls Church, Virginia 22041

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File: A205 875 351 – Dallas, TX

Date: AUG 26 2013

In re: OSCAR ANTONIO DEL CID-MELARA

IN REMOVAL PROCEEDINGS

INTERLOCUTORY APPEAL

ON BEHALF OF RESPONDENT: Dawn Pipek Guidone, Esquire

ON BEHALF OF DHS: Paul B. Hunker III  
Chief Counsel

APPLICATION: Change of Venue

The respondent has filed an appeal from the Immigration Judge's June 24, 2013, denial of his motion to change venue. Ordinarily we do not entertain interlocutory appeals to avoid piecemeal review of the myriad of questions which may arise in the course of proceedings. *See, e.g., Matter of Guevara*, 20 I&N Dec. 238 (BIA 1990, 1991); *Matter of Dobere*, 20 I&N Dec. 188 (BIA 1990). However, considering the entirety of circumstances presented in this case, which include the fact that the Department of Homeland Security has filed a brief in support of the respondent's interlocutory appeal and his motion, we will consider this appeal. Moreover, considering the record before us and the position of the parties, the appeal is sustained and the following orders will be issued.

ORDER: The Immigration Judge's June 24, 2013, order is vacated.

FURTHER ORDER: Venue in these proceedings is changed to the Immigration Court in New York, New York.



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