



**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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3900 N. Powerline Road  
Pompano Beach, FL 33073**

**Name: S [REDACTED] - [REDACTED], D [REDACTED]**

**A [REDACTED] -873**

**Date of this notice: 5/15/2018**

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:  
Kelly, Edward F.  
Pauley, Roger  
Snow, Thomas G

Userteam: Docket

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Falls Church, Virginia 22041

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File: [REDACTED] 873 – Pompano Beach, FL

Date:

**MAY 15 2018**

In re: D [REDACTED] S [REDACTED] -J [REDACTED]

IN BOND PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Efrain Alsina Rios, Esquire

ON BEHALF OF DHS: Shaheewa T. Jarrett Gelin  
Assistant Chief Counsel

APPLICATION: Change in custody status

The respondent has appealed the Immigration Judge's February 13, 2018, bond order. The Immigration Judge issued a bond memorandum setting forth the reasons for his bond decision on February 28, 2018. The appeal will be sustained.

We review Immigration Judges' findings of fact for clear error, but questions of law, discretion, and judgment, and all other issues in appeals, de novo. 8 C.F.R. §§ 1003.1(d)(3)(i), (ii).

In the instant case, we do not conclude that the respondent is a flight risk such that no bond is warranted. We thus will sustain the appeal and set a bond of \$5,000. We note that the Immigration Judge did not make a finding that the respondent is a danger to the community. Moreover, we note that the respondent has two United States citizen children, has resided in the United States for more than 10 years, and has no criminal record. The respondent also has an application for cancelation of removal pending in the underlying removal proceedings. Accordingly, the following orders will be entered.

ORDER: The appeal is sustained.

FURTHER ORDER: The respondent shall be released from custody under the posting of a bond in the amount of \$5,000.

  
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FOR THE BOARD