



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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Name: JIANG, MEI

A 089-173-687

Date of this notice: 12/21/2017

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:
Guendelsberger, John
Kendall Clark, Molly
Liebowitz, Ellen C

UsageS
Userteam: Docket

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Falls Church, Virginia 22041

File: A089 173 687 – New York, NY

Date:

DEC 21 2017

In re: Mei JIANG a.k.a. Jiang Mei

IN REMOVAL PROCEEDINGS

INTERLOCUTORY APPEAL

ON BEHALF OF RESPONDENT: Gary J. Yerman, Esquire

APPLICATION: Termination

The respondent, a native and citizen of the People's Republic of China, has filed an interlocutory appeal of an Immigration Judge's decision, dated September 12, 2017, denying her motion to terminate removal proceedings. Although proceedings have been administratively closed, the respondent seeks termination to pursue consular processing, as she has an approved visa petition (Form I-130) and an approved provisional waiver of unlawful presence (Form I-601A). *See* 8 C.F.R. § 212.7(e).

We find it appropriate to exercise our jurisdiction in this case to terminate proceedings. *See Matter of M-D-*, 24 I&N Dec. 138, 139 (BIA 2007); *Matter of Guevara*, 20 I&N Dec. 238 (BIA 1990, 1991); *Matter of Dobere*, 20 I&N Dec. 188 (BIA 1990). Accordingly, the respondent's appeal will be sustained. The following order will be entered.

ORDER: The appeal is sustained; proceedings are terminated without prejudice.



FOR THE BOARD

Board Member Ellen C. Liebowitz respectfully dissents without opinion.