



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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Name: SANABRIA ROSALES, JUAN C

A 095-220-903

Date of this notice: 6/17/2020

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:
MONTANTE, PHILLIP J.

Userteam: Docket

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Falls Church, Virginia 22041

File: A095-220-903 – Miami, FL

Date: JUN 17 2020

In re: Juan C. SANABRIA ROSALES

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Ronald Haber, Esquire

APPLICATION: Reopening

The respondent moves the Board to reopen proceedings in order to allow him to pursue an application for adjustment of status. The motion will be granted, proceedings will be reopened and the record will be remanded.

The respondent has an approved immediate relative visa petition and seeks reopening of proceedings in order to pursue adjustment of status. Review of the record reveals that the respondent was a juvenile and a derivative applicant on his parents' application for asylum and withholding of removal when those claims were denied by the Immigration Judge on April 11, 2005. Subsequently, the respondent applied for and received Deferred Action for Childhood Arrivals (DACA) and following his marriage to his United States citizen spouse, he is now the beneficiary of an approved I-130. In view of these circumstances, including the absence of opposition from the Department of Homeland Security, we will sua sponte reopen proceedings in order to allow the respondent to pursue adjustment of status. *Matter of J-J-*, 21 I&N Dec. 976 (BIA 1997).

ORDER: The motion is granted, and proceedings are reopened and the record is remanded to the Immigration Judge to consider the respondent's application for adjustment of status or other relief from removal for further proceedings.



FOR THE BOARD