



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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Name: C [REDACTED] E [REDACTED], C [REDACTED] ... A [REDACTED] 180

Date of this notice: 11/7/2017

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

User team: Docket

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Falls Church, Virginia 22041

File: [REDACTED] 180 - Denver, CO

Date: **NOV - 7 2017**

In re: C [REDACTED] C [REDACTED] B [REDACTED]

IN REMOVAL PROCEEDINGS

INTERLOCUTORY APPEAL

ON BEHALF OF RESPONDENT: Susanna M. Litwack, Esquire

ON BEHALF OF DHS: Rachel Silber
Associate Legal Advisor

APPLICATION: Change of venue

In a sua sponte order dated July 24, 2017, the Immigration Judge changed the venue of this case from Los Angeles to Denver. The respondent has filed an interlocutory appeal from the Immigration Judge's order. The Board also received a brief submitted by amicus curiae, and the Department of Homeland Security (DHS) filed a response to the respondent's interlocutory appeal as well as to amicus curiae's brief.

As both the respondent and the DHS point out on appeal, neither party in this case asked for a venue change. When the respondent's detention location was changed, the DHS did not indicate that it intended to seek a venue change. On appeal, the DHS states that it does not oppose the respondent's request that venue be changed back to Los Angeles. Given the fact that neither party sought a venue change, and both agree to returning venue to Los Angeles, we find it appropriate to exercise our jurisdiction over this interlocutory appeal case and reverse the Immigration Judge's order changing venue. Therefore, the appeal will be sustained, venue will be changed back to Los Angeles, California, and the record will be remanded for further proceeding. In light of the fact that the parties agree on the venue issue and do not dispute the result in this case, we need not address the other issues raised in this interlocutory appeal.

Accordingly, the following orders shall be entered.

ORDER: The interlocutory appeal is sustained.

FURTHER ORDER: Venue in this matter is changed to the Immigration Court in Los Angeles, California, and the record is remanded to the Immigration Judge for further proceedings.



FOR THE BOARD