



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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Name: ZHOU, ZHI FENG

A 073-874-177

Date of this notice: 5/23/2018

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:
Grant, Edward R.

Userteam: Docket

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Falls Church, Virginia 22041

File: A073 874 177 – Philadelphia, PA

Date:

MAY 23 2018

In re: Zhi Feng ZHOU a.k.a. Keyuan Chen

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Victor Manibo, Esquire

ON BEHALF OF DHS: Jean Celestin
Assistant Chief Counsel

APPLICATION: Reopening

This case was last before us on September 4, 2002, when we dismissed the respondent's appeal from the Immigration Judge's removal order. The respondent has now filed an untimely motion to reopen and terminate proceedings on December 26, 2017. *See* 8 C.F.R. § 1003.2(c). The Department of Homeland Security (DHS) opposes the motion, which will be granted in our sua sponte authority.

In his motion, the respondent states that his U visa application has been approved but that he is currently on the waiting list for the new fiscal year., and he requests termination of his proceedings in accordance with 8 C.F.R. § 214.14(c)(5)(i). Given the respondent's evidence of record, we find exceptional circumstances to warrant a sua sponte reopening of the respondent's record. *See* 8 C.F.R. § 1003.2(a); *Matter of J-J-*, 21 I&N Dec. 976 (BIA 1997). We further find, due to the application of 8 C.F.R. § 214.14(c)(5)(i), that the respondent's proceedings shall be terminated without prejudice. The following order will, thus, be entered.

ORDER: The motion is granted, and the respondent's proceedings are terminated without prejudice.



FOR THE BOARD