



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 20530

Blake, Jillian
L.A.F.E.O.T.A.
4900 Leesburg Pike, Suite 411
Alexandria, VA 22302

DHS/ICE Office of Chief Counsel - WAS
1901 S. Bell Street, Suite 900
Arlington, VA 22202

Name: JUAREZ-HERNANDEZ, BORIS A... A 200-122-340

Date of this notice: 4/22/2015

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:
Miller, Neil P.

Userteam: Docket

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Falls Church, Virginia 20530

File: A200 122 340 – Arlington, VA

Date:

APR 22 2015

In re: BORIS ARMANDO JUAREZ-HERNANDEZ

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Jillian Blake, Esquire

APPLICATION: Reopening

The respondent has filed a motion to reopen these removal proceedings. The Board dismissed the respondent's appeal of the Immigration Judge's decision premitting his application for adjustment of status on March 15, 2011. Subsequently, in deciding the appeal of the respondent's brother, Jaime Geovani Anaya a.k.a. Jaime Hernandez Juarez, the Board determined that further fact-finding and development of the record were appropriate. *See Matter of Anaya*, A096 485 863 (BIA Mar. 8, 2012) (unpublished). In light of our action taken in the brother's case and in consideration of the totality of the circumstances, we will vacate our prior decision in this matter, reopen proceedings under the provisions of 8 C.F.R. § 1003.2(a), and remand the record to afford the respondent the opportunity to demonstrate his eligibility for relief.

The Board expresses no opinion as to the outcome, and on remand the parties should have the opportunity to present any additional evidence and argument they may have. The Immigration Judge should consider whether the respondent's and his brother's cases should be consolidated and make an appropriate order regarding consolidation.

ORDER: The Board's decisions dated March 15, 2011, and March 10, 2015, in this matter are vacated, and the matter is reopened.

FURTHER ORDER: The record is remanded to the Immigration Judge for the presentation of additional evidence and further proceedings consistent with this opinion and entry of a new decision.



FOR THE BOARD