



**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: SANDOVAL-GONZALEZ, NEMO...      A 205-373-397**

**Date of this notice: 1/3/2020**

Enclosed is a copy of the Board's decision and order in the above-referenced case.

Sincerely,

Donna Carr  
Chief Clerk

Enclosure

Panel Members:  
Liebowitz, Ellen C

U.S. DEPT. OF JUSTICE  
User team: Docket

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Falls Church, Virginia 22041

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File: A205-373-397 – Chicago, IL

Date:

**JAN - 3 2020**

In re: Nemorio SANDOVAL-GONZALEZ

IN REMOVAL PROCEEDINGS

APPEAL AND MOTION

ON BEHALF OF RESPONDENT: Jason A. Flora, Esquire

APPLICATION: Continuance; termination

The respondent, a native and citizen of Mexico, appeals from the decision of the Immigration Judge, dated May 23, 2018, granting his application for a waiver of inadmissibility under section 212(d)(3)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1182(d)(3)(A), denying his request for a continuance, and granting his alternate request for voluntary departure.

During the pendency of the appeal, the respondent filed a motion to terminate proceedings without prejudice and submitted evidence showing that the United States Citizenship and Immigration Services approved his U visa application (Form I-918) on June 11, 2019, and that he is now in lawful nonimmigrant status. The Department of Homeland Security has not responded to the respondent's appeal or motion. Thus, we will grant the respondent's motion and order the proceedings terminated without prejudice. See 8 C.F.R. § 214.14(c)(5)(i) (providing that an order of removal issued against an alien whose U visa is approved shall be deemed cancelled by operation of law as of the date of approval). In light of our disposition of the respondent's motion, we need not reach his appeal of the Immigration Judge's decision, as that appeal is now moot. Accordingly, the following orders are entered.

ORDER: The removal proceedings are terminated without prejudice.

  
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FOR THE BOARD