



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 22041*

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**DHS/ICE Office of Chief Counsel - NYC
26 Federal Plaza, Room 1130
New York, NY 10278**

Name: GONZALES DIAZ, SALVADOR

A030-105-700

Date of this notice: 3/28/2011

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:
Holmes, David B.

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Falls Church, Virginia 22041

File: A030 105 700 - New York, NY

Date: MAR 28 2011

In re: SALVADOR GONZALES DIAZ

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Jorge Guttlein, Esquire

ON BEHALF OF DHS: Silvia X. Liu
Senior Attorney

CHARGE:

Notice: Sec. 237(a)(2)(A)(i), I&N Act [8 U.S.C. § 1227(a)(2)(A)(i)] -
Convicted of crime involving moral turpitude

APPLICATION: Reopening; stay of removal

ORDER:

These proceedings are reopened under the provisions of 8 C.F.R. § 1003.2(a). The respondent's present motion is granted to the extent that it requests a remand to the Immigration Judge for further consideration of his removability in light of proffered evidence that the Governor of New York granted him a pardon on December 22, 2010, for his 1975 conviction for assault in the first degree. The Department of Homeland Security ("DHS") states that it does not oppose a remand for this purpose. Accordingly, the record will be remanded to the Immigration Judge to allow the parties to present further evidence and argument regarding the matters at issue in this case.

FURTHER ORDER: The record is remanded to the Immigration Judge for further proceedings and entry of a new decision.



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