



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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**DHS/ICE Office of Chief Counsel - SNA  
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San Antonio, TX 78239**

**Name: GONZALEZ-MURCIA, ANDRES**

**A 077-532-371**

**Date of this notice: 12/31/2015**

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

Sincerely,

Donna Carr  
Chief Clerk

Enclosure

Panel Members:  
Adkins-Blanch, Charles K.

Userteam: Docket

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Falls Church, Virginia 22041

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File: A077 532 371 – San Antonio, TX

Date:

DEC 31 2015

In re: ANDRES GONZALEZ-MURCIA

IN REMOVAL PROCEEDINGS

APPEAL AND MOTION

ON BEHALF OF RESPONDENT: Stephen Coghlan, Esquire

APPLICATION: Reopening; administrative closure; adjustment of status

This case is before the Board pursuant to September 26, 2014, order of the United States Court of Appeals for the Fifth Circuit, which granted the Government's motion to remand. In its motion, the Government sought remand to allow the respondent to seek reopening and administrative closure so that he could apply for a provisional waiver of unlawful presence from the United States Citizenship and Immigration Services before going abroad for an immigrant visa interview at the United States consulate. The respondent has an approved visa petition filed on his behalf by his United States citizen spouse.

Subsequently, the respondent filed a motion to remand the case to the Immigration Judge to allow the Immigration Judge to reconsider the denial of his motion to reopen proceedings in which he was ordered removed in absentia or to consider his eligibility for potential new relief under the November 20, 2014, Executive Order. The Department of Homeland Security (DHS) has filed no response to the respondent's motion or submitted any post-remand filing. The respondent's motion will be denied, his removal proceedings will be reopened, and his case administratively closed.

If either party to this case wishes to reinstate the proceedings, a written request to reinstate the proceedings may be made to the Board. **The Board will take no further action in the case unless a request is received from one of the parties.** The request must be submitted directly to the Clerk's Office, without fee, but with certification of service on the opposing party.

Accordingly, the following orders will be entered.

ORDER: The respondent's motion to remand is denied.

FURTHER ORDER: The respondent's removal proceedings are reopened.

FURTHER ORDER: The proceedings before the Board of Immigration Appeals in this case are administratively closed.

  
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FOR THE BOARD