



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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5107 Leesburg Pike, Suite 2000  
Falls Church, Virginia 22041

**SALEM, NIDAL SHAWKAT  
3321 RIDGEWOOD DRIVE  
CHAMPAIGN, IL 61821**

**DHS/ICE Office of Chief Counsel - CHI  
525 West Van Buren Street  
Chicago, IL 60607**

**Name: SALEM, NIDAL SHAWKAT**

**A 046-010-157**

**Date of this notice: 10/24/2016**

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:  
Kendall-Clark, Molly

Userteam: Docket

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Falls Church, Virginia 22041

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File: A046 010 157 – Waupun, WI

Date:

OCT 24 2016

In re: NIDAL SHAWKAT SALEM

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Pro se

APPLICATION: Reopening

ORDER:

This case was last before the Board on April 24, 2007, when we affirmed the Immigration Judge's decision denying the respondent's claim that he derived United States citizenship from his United States citizen father. On July 13, 2016, the respondent filed a motion to reopen and terminate these proceedings. The respondent contends that, on March 25, 2016, the United States Department of State issued him a United States passport. The respondent attached a copy of the face page of his passport to the motion. We will grant the respondent's motion to reopen pursuant to our sua sponte authority under 8 C.F.R. § 1003.2(a). However, because this Board is limited in its fact-finding function, we remand this case to the Immigration Judge to consider the respondent's new evidence in the first instance. *See Matter of S-H-*, 23 I&N Dec. 462, 465 (BIA 2002); *see also* 8 C.F.R. § 1003.2(c)(1).

  
FOR THE BOARD