



**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 - ELP  
11541 Montana Ave , Suite O  
El Paso, TX 79936**

**Name: LLOID THORPE, DWAIN**

**A 208-132-855**

**Date of this notice: 11/14/2019**

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

User team: Docket

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*ng*

Falls Church, Virginia 22041

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File: A208-132-855 – El Paso, TX

Date: **NOV 14 2019**

In re: Dwain Lloid THORPE

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Solomon O. Kanu, Esquire

APPLICATION: Reconsideration; reopening

This case was last before the Board on October 3, 2018, when we denied the respondent's motion to reopen the proceedings to pursue adjustment of status, because, inter alia, he did not submit sufficient evidence establishing the bona fides of his marriage to a United States citizen. The respondent now seeks reconsideration of our decision and reopening of the proceedings, and has submitted additional marriage-related evidence. Section 240(c)(6)-(7) of the Immigration and Nationality Act, 8 U.S.C. § 1229a(c)(6)-(7); 8 C.F.R. § 1003.2(b)-(c). The Department of Homeland Security ("DHS") has not responded to the motion. 8 C.F.R. § 1003.2(g)(3).

The respondent has submitted a copy of his adjustment application, as well as the United States Citizenship and Immigration Services' approval notice of his visa petition. 8 C.F.R. § 1003.2(c)(1). Further, the respondent has attached evidence concerning the bona fides of the marriage, including, inter alia, pregnancy-related medical records, bank and life insurance records, and evidence of their shared residence. *Matter of Velarde*, 23 I&N Dec. 253 (BIA 2002); 8 C.F.R. § 204.2(a)(1)(iii)(B) (setting forth the types of documents that may be submitted to establish a marriage was entered into in good faith). Accordingly, we will sua sponte reconsider our previous decision and grant the respondent's motion to reopen. 8 C.F.R. § 1003.2(a); *Matter of J-J-*, 21 I&N Dec. 976, 984 (BIA 1997).

ORDER: The motion is granted.

FURTHER ORDER: The record is remanded to the Immigration Judge for further proceedings consistent with this order.

  
FOR THE BOARD