



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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333 South Miami Ave., Suite 200
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Name: MARTINS, JAQUELINE ZANELA... A 089-249-051

Date of this notice: 7/31/2013

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:
Miller, Neil P.

williams
User team: Docket

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Falls Church, Virginia 22041

File: A089 249 051 – Miami, FL

Date: JUL 31 2013

In re: JAQUELINE ZANELATTO MARTINS

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Jose A. Guerrero, Esquire

APPLICATION: Reopening

ORDER:

When this matter was before the Board on March 20, 2013, we dismissed the respondent's appeal from the Immigration Judge's decision denying her application for relief from removal in proceedings in which her father was the lead respondent.¹ The respondent filed this timely motion to reopen her removal proceedings on June 14, 2013, based on her marriage to a United States citizen who has filed an approved Form I-130 visa petition on her behalf. See Motion to Reopen, Tabs 6, 7. The Department of Homeland Security (DHS) has not opposed the motion.

Considering the entirety of circumstances presented by the present motion, and the non-opposition by the DHS, these proceedings are reopened under the provisions of 8 C.F.R. § 1003.2(a), and the record is remanded to the Immigration Judge to provide the respondent an opportunity to demonstrate her eligibility for relief. The record is remanded to the Immigration Judge for further proceedings and entry of a new decision.²



FOR THE BOARD

¹ The respondent's father Maurilio Martins (A089 249 048) and family members Solange Zanelatto Martins (A089 249 049) and Higor Murilo Zanelatto Martins a.k.a. Igor Murilo Zanelatto Martins (A089 249 050) were also respondents in the prior proceedings before the Immigration Judge and Board. They are not parties to the present motion.

² While granting the motion to reopen, we additionally note that on June 15, 2012, the Secretary of the DHS announced that certain young people, who are low law enforcement priorities, will be eligible to receive deferred action. The respondent may be eligible to seek deferred action. Information regarding DHS' Deferred Action Process for Young People Who Are Low Enforcement Priorities may be obtained at the following DHS websites: USCIS at www.uscis.gov, and ICE at www.ice.gov. Individuals can also call USCIS' hotline at 1-800-375-5283 or ICE's hotline at 1-888-351-4024.