



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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**Name: LOWOR, DANIEL TEYE**

**A 093-460-067**

**Date of this notice: 4/2/2014**

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

Sincerely,

Donna Carr  
Chief Clerk

Enclosure

Panel Members:  
Creppy, Michael J.  
Liebowitz, Ellen C  
Mullane, Hugh G.

lucasd  
Userteam: Docket

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Falls Church, Virginia 20530

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File: A093 460 067 – Boston, MA

Date: APR - 2 2014

In re: DANIEL TEYE LOWOR

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Michele H. Kane, Esquire

APPLICATION: Reopening

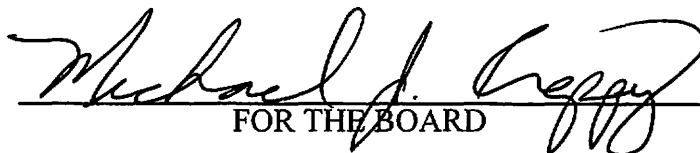
The respondent, a native and citizen of Ghana, appeals from the January 23, 2012, decision of the Immigration Judge denying his motion to reopen the proceedings. The appeal will be sustained and the record remanded.

We review the findings of fact, including determinations of credibility, made by the Immigration Judge under a “clearly erroneous” standard. 8 C.F.R. § 1003.1(d)(3)(i). We review all other issues, including whether or not the parties have met the relevant burden of proof, and issues of discretion, under a de novo standard. 8 C.F.R. § 1003.1(d)(3)(ii).

The Immigration Judge’s decision here does not provide any fact-finding or analysis, but instead denies the respondent’s motion to reopen “for the reasons stated in the DHS’s Opposition.” Under these circumstances, we find the record inadequate for review. An Immigration Judge’s decision that lacks sufficient analysis does not provide an adequate opportunity to the alien to contest the Immigration Judge’s determinations on appeal and leaves the Board without adequate means of reviewing the reasons for the Immigration Judge’s decision. *Matter of M-P-*, 20 I&N Dec. 786 (BIA 1994) (finding that an Immigration Judge must fully explain the reasons for denying a motion to allow the respondent a fair opportunity to contest the decision and the Board an opportunity for meaningful appellate review); *see also Matter of A-P-*, 22 I&N Dec. 468 (BIA 1999).

Accordingly, the record will be remanded to the Immigration Judge for the issuance of a more complete decision.

ORDER: The record is returned to the Immigration Court for further proceedings in accordance with this decision.

  
FOR THE BOARD

Board Member Hugh G. Mullane dissents without opinion.

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UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
BOSTON, MASSACHUSETTS

In the matter of: Daniel Teye LOWOR

File No.: A 093 460 067

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of Respondent's Motion to Reopen Removal Proceedings, it is  
HEREBY ORDERED that the motion be

☐ GRANTED ☒ DENIED because:

- ☒ DHS does ~~not~~ oppose the motion.
- ☐ The respondent does not oppose the motion.
- ☐ A response to the motion has not been filed with the court.
- ☐ Good cause has been established for the motion.
- ☐ The court agrees with the reasons stated in the opposition to the motion.
- ☐ The motion is untimely per \_\_\_\_\_
- ☒ Other: *motion is denied for the reasons stated in the DHS's opposition.*

Date January 23, 2012

Quynh Vu Bain  
Immigration Judge Quynh Vu Bain

By fax

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DHS

Date: \_\_\_\_\_

By: Court Staff \_\_\_\_\_