



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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New York, NY 10278**

Name: DEMBELE, LASSANA

A 075-835-755

Date of this notice: 12/22/2017

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:
Guendelsberger, John

USCIS
User team: Docket

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Falls Church, Virginia 22041

File: A075 835 755 – New York, NY

Date:

DEC 22 2017

In re: Lassana DEMBELE

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Joshua E. Bardavid, Esquire

APPLICATION: Reopening

On August 20, 2001, we dismissed, in a final administrative order, the respondent's appeal from the Immigration Judge's April 3, 2000, decision. The respondent has now filed an untimely motion to reopen proceedings on September 11, 2017. *See* 8 C.F.R. § 1003.2(c). The Department of Homeland Security has not responded to the motion, which will be granted.

Given the respondent's evidence,¹ and lack of DHS opposition, we find exceptional circumstances warranting a sua sponte reopening. *See* 8 C.F.R. § 1003.2(a); *Matter of J-J-*, 21 I&N Dec. 976 (BIA 1997). Accordingly, we will reopen and remand the record for further proceedings regarding the respondent's request for relief from removal. The following order will be entered.

ORDER: The motion to reopen is granted, and the record is remanded to the Immigration Court for further proceedings consistent with the foregoing decision.



FOR THE BOARD

¹ The respondent has 7 United States citizen children, has been in the United States since 1995, is employed, pays taxes, has no criminal record, has an approved visa petition, and the December 2017 Visa Bulletin reflects that the respondent's priority date is current.