



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041



DHS/ICE Office of Chief Counsel - BAL
31 Hopkins Plaza, Room 1600
Baltimore, MD 21201

Name: RIVAS-AYALA, JUAN CARLOS
Riders: 208-890-223

A 208-890-222

Date of this notice: 10/11/2017

Enclosed is a copy of the Board's decision in the above-referenced case. If the attached decision orders that you be removed from the United States or affirms an Immigration Judge's decision ordering that you be removed, any petition for review of the attached decision must be filed with and received by the appropriate court of appeals within 30 days of the date of this decision.

Sincerely,

Donna Carr

Donna Carr
Chief Clerk

Enclosure

Panel Members:
Kendall Clark, Molly

Enacted
User team: Docket

For more unpublished BIA decisions, visit
www.irac.net/unpublished/index



Falls Church, Virginia 22041

Files: A208 890 222 – Baltimore, MD
A208 890 223

Date: **OCT 11 2017**

In re: Juan Carlos RIVAS-AYALA
Josue Neftali RIVAS-MERCADO

IN REMOVAL PROCEEDINGS

INTERLOCUTORY APPEAL

ON BEHALF OF RESPONDENTS: Pro se

The Department of Homeland Security (DHS) has filed an interlocutory appeal from the Immigration Judge's May 23, 2017, decision to grant a second continuance in this case. To avoid piecemeal review of the multiple queries that may arise during the course of removal proceedings, ordinarily the Board does not entertain interlocutory appeals. *See Matter of M-D-*, 24 I&N Dec. 138, 139 (BIA 2007), and cases cited therein. We have on occasion accepted interlocutory appeals to address significant jurisdictional questions about the administration of the immigration laws, or to correct recurring problems in the handling of cases by Immigration Judges. *See, e.g., Matter of Guevara*, 20 I&N Dec. 238 (BIA 1990, 1991); *Matter of Dobere*, 20 I&N Dec. 188 (BIA 1990). The issue of whether the Immigration Judge properly granted the respondents' request for a continuance does not present a significant jurisdictional question about the administration of the immigration laws, nor does it involve a recurring problem in Immigration Judges' handling of cases. Thus, the question raised in this interlocutory appeal does not fall within the limited ambit of cases where we deem it appropriate to exercise our jurisdiction. Accordingly, the following order will be entered.

ORDER: The record shall be returned to the Immigration Court with no further action.



FOR THE BOARD