



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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**Name: ALVARADO-AVILA, ADRIAN**

**A 201-072-243**

**Date of this notice: 2/13/2018**

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

Userteam: Docket

*WJ*

Falls Church, Virginia 22041

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File: A201 072 243 – Kansas City, MO

Date: **FEB 13 2018**

In re: Adrian ALVARADO-AVILA

IN REMOVAL PROCEEDINGS

INTERLOCUTORY APPEAL

ON BEHALF OF RESPONDENT: Genevra Alberti, Esquire

ON BEHALF OF DHS: Mahdi J. Abdelaziz  
Assistant Chief Counsel

At a January 11, 2018, hearing, an Immigration Judge continued these proceedings, apparently to allow the respondent additional time to obtain a “U” visa from United States Citizenship and Immigration Services (USCIS). See section 101(a)(15)(U) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(U). The next hearing is currently scheduled for February 22, 2018. The Department of Homeland Security (DHS) filed an interlocutory appeal, noting that proceedings have been similarly continued for over a year.

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 currently presented in this case 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.

IT IS THEREFORE ORDERED that this record be returned to the Immigration Court without further action.

  
FOR THE BOARD