U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk

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Falls Church, Virginia 20530

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333 South Miami Ave., Suite 200
Miami, FL 33130

Name: GONZALEZ, DANIELA   A 096-813-955

Date of this notice: 2/21/2014

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:
Hoffman, Sharon
Manuel, Elise
Guendelsberger, John

Lulseges
Userteam: Docket

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U.S. Department of Justice
Executive Office for Immigration Review

Decision of the Board of Immigration Appeals

Falls Church, Virginia 20530

File: A096 813 955 - Miami, FL

Date:

FEB 21 2014

In re: DANIELA GONZALEZ

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Themistoklis E. Aliferis, Esquire

ON BEHALF OF DHS: Michele S. Vigilance
                           Assistant Chief Counsel

APPLICATION: Severance; Administrative Closure

The respondent filed an appeal of the Immigration Judge's September 27, 2011, decision finding her removable as charged and ineligible for relief from removal.[1] While her appeal was pending, the respondent filed a motion on March 8, 2013, to sever her case from her mother's so that she may pursue an application for Deferred Action for Childhood Arrivals with the United States Citizenship and Immigration Services (USCIS), and she requested that her case be remanded for consideration of administrative closure. The USCIS database indicates that her application for deferred action was granted in June 2013. Considering the totality of the circumstances, the respondent's motion to sever will be granted, and the Board will administratively close these proceedings.

If either party to this case wishes to recalendar these proceedings, a written request to recalendar the proceedings may be made to the Board. The Board will take no further action in the case unless a request is received from one of the parties. The request must be submitted directly to the Clerk's Office, without fee, but with certification of service on the opposing party.

ORDER: The respondent's motion to sever is granted.

FURTHER ORDER: The proceedings before the Board in this matter are administratively closed.

_____
FOR THE BOARD

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[1] The respondent was a minor when she was placed in proceedings with her mother. A separate decision will be issued in her mother's case.

U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
ONE RIVERVIEW SQUARE 333 S. MIAMI AVE., SUITE 700
MIAMI, FL 33130

In the Matter of: Case No.: **A096-813-955**
GONZALEZ, DANIELA
RESPONDENT

                                                         IN REMOVAL PROCEEDINGS

ORDER OF THE IMMIGRATION JUDGE

Upon the basis of respondent's admissions, I have determined that the respondent is subject to removal on the charge(s) in the Notice to Appear. The respondent has made application solely for voluntary departure in lieu of removal.

It is HEREBY ORDERED that the respondent be GRANTED voluntary departure in lieu of removal, without expense to the Government on or before ___*11-28-11*___ or any extensions as may be granted by the District Director, Department of Homeland Security, and under whatever conditions the District Director may direct.

It is FURTHER ORDERED:

[X] That the respondent post a voluntary departure bond in the amount of *$500* ___
with the Department of Homeland Security on or before _____.

[ ] That the respondent shall provide the Department of Homeland Security travel documentation sufficient to assure lawful entry into the country to which the alien is departing within 60 days of this order, or within any time extensions that may be granted by the Department of Homeland Security.

[ ] Other _____

_____

_____

It is FURTHER ORDERED that if any of the above ordered conditions are not met as required, the above order shall be withdrawn without futher notice or proceedings and the following shall thereupon become immediately effective: respondent shall be removed to _*Venezuela*_ on the charge(s) in the Notice to Appear.

Case No.: **A096-813-955**
In the Matter of: **GONZALEZ, DANIELA**

It is FURTHER ORDERED that if respondent fails to depart as required, the above order shall be withdrawn without further notice or proceedings and the following order shall become immediately effective: respondent shall be removed to ___Venezuela___ on the charge(s) in the Notice to Appear.
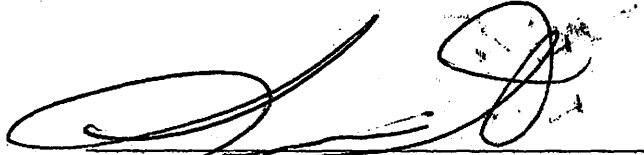
It is FURTHER ORDERED that if the aforenamed country advises the Attorney General that it is unwilling to accept the respondent into its territory, or fails to advised the Attorney General within thirty days following the original inquiry whether it will or will not accept respondent into its territory, the respondent shall be removed to _____.

You have been granted voluntary departure from the United States pursuant to section 240B of the Immigration and Nationality Act. Remaining in the United States beyond the authorized date will result in your being found ineligible for certain forms of relief under the Immigration and Nationality Act (see Section A. below) for a period of ten (10) years from the date of scheduled departure. Your Voluntary departure bond, if any, will also be breached. Additionally, if you fail to voluntarily depart the United States within the time period specified, you shall be subject to a civil penalty of not less than $1000 and not more than $5000.

A. THE FORMS OF RELIEF FROM REMOVAL FOR WHICH YOU WILL BE INELIGIBLE ARE:
    (1)   Voluntary departure as provided in section 240B of the Immigration and Nationality Act;
    (2)   Cancellation of removal as provided for in section 240A of the Immigration and Nationality Act; and
    (3)   Adjustment of status or change of status as provided for in section 245, 248, 249 of the Immigration and Nationality Act.

This written notice was provided to the alien in English. Oral notice of the contents of this notice was given to the alien in his/her native language, or in a language he/she understands.

LILLIANA TORREH-BAYOUTH
Immigration Judge
Date: September 27, 2011

Appeal: WAIVED / RESERVED (A / I / B)

Appeal Due By: ___10-27-11___