



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

**Mourick, David, Esq.
Law Office of David J. Mourick, P.A.
Post Office Box 250
Bonita Springs, FL 34133-0250**

**DHS/ICE Office of Chief Counsel - BTC
3900 N. Powerline Road
Pompano Beach, FL 33073**

Name: C [REDACTED] -C [REDACTED], L [REDACTED] G [REDACTED]... A [REDACTED]-435

Date of this notice: 7/19/2018

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:
Snow, Thomas G

User team: Docket

For more unpublished decisions, visit
www.irac.net/unpublished/index

Falls Church, Virginia 22041

File: [REDACTED] 435 – Pompano Beach, FL

Date:

JUL 19 2018

In re: L [REDACTED] G [REDACTED] O [REDACTED] -O [REDACTED] a.k.a. [REDACTED]
[REDACTED]

IN BOND PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: David Mourick, Esquire

APPLICATION: Change in custody status

In a bond decision dated May 10, 2018, an Immigration Judge denied the respondent's request for a change in custody status and ordered that he remain held without bond. The bond order is accompanied by a May 18, 2018, explanatory memorandum. The respondent appealed from the bond decision. The record will be remanded.

The Immigration Judge determined that the respondent was ineligible for bond because he did not meet his burden to demonstrate that he did not pose a substantial flight risk. In the bond memorandum, the Immigration Judge noted that the respondent had no removal relief immediately available and had an April 2018 arrest for driving without a valid license. On May 24, 2018, the respondent was found removable as charged under section 237(a)(1)(B) of the Immigration and Nationality Act, 8 U.S.C. § 1227(a)(1)(B), in his ongoing removal proceedings.

The respondent has furnished documentation showing that he married a United States citizen on May 26, 2018, and that his wife filed a visa petition and adjustment of status application for him with the Department of Homeland Security on June 4, 2018. We find that these developments constitute a material change in the respondent's circumstances since the Immigration Judge's issuance of the May 10, 2018, bond decision.

Accordingly, we will remand the record in this bond case. On remand, the Immigration Judge should redetermine the respondent's custody status in light of the aforementioned recent developments and should include a new flight risk assessment.

ORDER: The record is remanded to the Immigration Court for further proceedings and for the entry of a new bond decision, consistent with this opinion.



FOR THE BOARD