



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

[REDACTED]
[REDACTED]
[REDACTED]

DHS/ICE Office of Chief Counsel - ATL
180 Ted Turner Dr., SW, Ste 332
Atlanta, GA 30303

Name: V [REDACTED]-R [REDACTED], M [REDACTED]... A [REDACTED]-080

Date of this notice: 9/30/2019

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:
Mullane, Hugh G.

Userteam: Docket

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RC

Falls Church, Virginia 22041

File: [REDACTED]-080 – Atlanta, GA

Date:

SEP 30 2019

In re: M [REDACTED] V [REDACTED] -R [REDACTED]

IN BOND PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Pro se

ON BEHALF OF DHS: Ashley Pruitt
Assistant Chief Counsel

The Department of Homeland Security appeals the Immigration Judge's April 17, 2019, bond order. We note, however, that the Immigration Judge, on June 25, 2019, issued an order in the underlying removal proceedings. The administrative records of the Executive Office for Immigration Review (EOIR) indicate that the respondent was granted pre-conclusion voluntary departure and waived his right to appeal. *See* 8 C.F.R. § 1240.26(b)(1)(i)(D). Thus, there is now an administratively final order of removal. *See* 8 C.F.R. § 1241.1(b).

The authority of an Immigration Judge to set bond conditions ceases at the entry of a final administrative order in proceedings under 8 C.F.R. Part 1240. *See* 8 C.F.R. § 1236.1(d). This Board's authority to set bond conditions on appeal from an Immigration Judge's order derives from the Immigration Judge's underlying authority to redetermine conditions of custody. At this time, neither an Immigration Judge nor this Board has regulatory authority to set bond conditions because a final administrative order has been entered in the respondent's removal case.

ORDER: The instant bond appeal is dismissed as moot.



FOR THE BOARD