



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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Name: GONZALEZ HERNANDEZ, JORG... A 078-016-721

Date of this notice: 6/27/2016

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:
Guendelsberger, John

User team: Docket

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RG

Falls Church, Virginia 22041

File: A078 016 721 – Los Angeles, CA

Date: **JUN 27 2016**

In re: JORGE LUIS GONZALEZ HERNANDEZ a.k.a. Jorge Gonzalez Hernandez

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Marco A. Jimenez, Esquire

APPLICATION: Reconsideration

ORDER:

The respondent has filed a timely motion to reconsider the Board's April 12, 2016, decision summarily dismissing his appeal. The motion is granted.

The respondent contends that he filed his appeal in accordance with both oral and written instructions given to him by the Immigration Judge. In this regard, we observe that the Immigration Judge's order contains a handwritten notation erroneously indicating that the appeal was "due March 4, 2016," rather than the correct date of February 22, 2016. The record reflects that the respondent's Notice of Appeal was received March 3, 2016.

Given this record, we find it appropriate to sua sponte reconsider proceedings. Accordingly, the motion is granted.

FURTHER ORDER: The Board's April 12, 2016, decision is hereby vacated.

FURTHER ORDER: The parties shall be sent a copy of the hearing transcript, and a briefing schedule shall be set. A decision on the merits shall thereafter be issued.



FOR THE BOARD