



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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Name: ZHANG, HAO

A 097-852-229

Date of this notice: 2/2/2018

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:
Guendelsberger, John

Userteam: Docket

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Lee

Falls Church, Virginia 22041

File: A097 852 229 – New York, NY

Date: **FEB - 2 2018**

In re: Hao ZHANG

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Zhou M. Wang, Esquire

APPLICATION: Reopening

The respondent has filed a motion to reopen to apply for adjustment of status based on an approved immediate relative visa petition filed by her United States citizen husband. The record before us does not contain a reply to the motion from the Department of Homeland Security. Therefore, the motion is deemed unopposed. *See* 8 C.F.R. § 1003.2(g)(3).

The respondent has 2 United States citizen children. Her spouse, a veteran of the United States Navy, has a serious disability. She provides her husband assistance and support in managing his health care.

Considering the totality of circumstances presented in the respondent's motion to reopen, the proceedings will be reopened on our own motion under the provisions of 8 C.F.R. § 1003.2(a). The record will be remanded to the Immigration Judge to provide the respondent the opportunity to pursue an application for adjustment of status based on an approved Form I-130 visa petition filed on the respondent's behalf by her United States citizen spouse. *See Matter of J-J-*, 21 I&N Dec. 976, 984 (BIA 1997).

ORDER: The record is reopened pursuant to 8 C.F.R. § 1003.2(a).

FURTHER ORDER: The record is remanded to the Immigration Judge for further proceedings not inconsistent with this order and for the entry of a new decision.



FOR THE BOARD