



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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5107 Leesburg Pike, Suite 2000  
Falls Church, Virginia 22041

**Armendariz, David Anton  
De Mott, McChesney, Curtright  
& Armendariz, LLP  
800 Dolorosa, Suite 100  
San Antonio, TX 78207-4519**

**DHS/ICE Office of Chief Counsel - SNA  
1015 Jackson-Keller Rd, Suite 100  
San Antonio, TX 78213**

**Name: C [REDACTED] -A [REDACTED], V [REDACTED] A [REDACTED] -336**

**Date of this notice: 11/1/2018**

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

Userteam: Docket

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Falls Church, Virginia 22041

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File: A-336 – San Antonio, TX

Date: **NOV - 1 2018**

In re: V-C-A-

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: David Anton Armendariz, Esquire

ON BEHALF OF DHS: Oscar J. Montemayor  
Assistant Chief Counsel

APPLICATION: Cancellation of removal under section 240A(b)(1) of the Act

The respondent has appealed from an Immigration Judge's decision dated September 26, 2017, denying his application for cancellation of removal under section 240A(b) of the Immigration and Nationality Act, 8 U.S.C. § 1229b(b).<sup>1</sup> The record will be remanded for further proceedings as set forth below.

The Immigration Judge who conducted the proceedings did not sign the September 26, 2017, decision. Rather, another Immigration Judge signed "for" the Immigration Judge who conducted the proceedings (IJ at 6). The regulations provide that where an Immigration Judge is no longer available to complete his or her assigned cases, another Immigration Judge may be assigned to complete those cases. 8 C.F.R. § 1240.1(b). However, it is not clear whether the Immigration Judge who signed the September 26, 2017, decision stated for the record that he had familiarized himself with the record in this case, as required by the regulations. *See* 8 C.F.R. § 1240.1(b). The record will therefore be returned to the Immigration Court for issuance of a new decision that complies with the regulations.

ORDER: The record is remanded to the Immigration Judge for further proceedings, as necessary, and for the entry of a new decision.

  
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FOR THE BOARD

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<sup>1</sup> The decision was served on the parties by mail on September 27, 2017.