



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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**DHS/ICE Office of Chief Counsel - SDC
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Name: VALENTIN, JESUS EMANUEL

A 216-302-764

Date of this notice: 4/6/2018

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:
Kendall Clark, Molly

USDOJ
User team: Docket

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Falls Church, Virginia 22041

File: A216 302 764 – Lumpkin, GA

Date:

APR - 6 2018

In re: Jesus Emanuel VALENTIN

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Carlos E. Solomiany, Esquire

APPLICATION: Reopening

ORDER:

The respondent has filed a timely motion to reopen the Board's December 29, 2017, decision dismissing his appeal. The Department of Homeland Security (DHS) has not opposed the motion. The motion is granted.

The respondent seeks reopening and remand of his removal proceedings while his pending application for a U nonimmigrant visa is adjudicated by the Department of Homeland Security (Motion, Tab B). 8 C.F.R. § 214.14(c)(1). He has presented evidence showing that he is married to a United States citizen, with whom he has a United States citizen child (Motion, Tabs C, D). In light of the evidence of the respondent's pending U visa application, and the lack of opposition by the DHS or evidence of any adverse factors, we find that a remand is warranted. Accordingly, the motion is granted.

FURTHER ORDER: The proceedings are hereby remanded to the Immigration Judge for further action as appropriate.


FOR THE BOARD