



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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Falls Church, Virginia 22041*

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31 Hopkins Plaza, Room 1600
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Name: P [REDACTED] G [REDACTED], L [REDACTED]

A [REDACTED]-629

Date of this notice: 2/20/2020

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:
Mullane, Hugh G.
Mann, Ana
Grant, Edward R.**

**Hum. Jy.
User team: Docket**

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RC

Falls Church, Virginia 22041

File: A [REDACTED]-629 – Monroe, LA

Date:

In re: L [REDACTED] y P [REDACTED] G [REDACTED]

FEB 20 2020

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Rachel Chappell, Esquire

ON BEHALF OF DHS: J. Christopher Moellering
Assistant Chief Counsel

APPLICATIONS: Asylum; withholding of removal; Convention Against Torture

The respondent, a native and citizen of Cuba, appeals the Immigration Judge's decision of October 8, 2019. The Department of Homeland Security (DHS) opposes the appeal. The record will be remanded for further proceedings.

The Immigration Judge found that the respondent's removability had previously been established, that he had failed to file his applications for asylum and related relief on or before October 4, 2019, and that his request to file for such relief had been abandoned.¹ However, the record reflects that the respondent had apparently filed his asylum application as required, but it was not associated with the file, which was not the respondent's fault. In view of the circumstances present, we will remand the record for further proceedings. Accordingly, the following order will be entered.

ORDER: The record will be remanded to the Immigration Judge for further proceedings consistent with the foregoing opinion.



FOR THE BOARD

¹ The record is inadequate to support the Immigration Judge's finding that the respondent's removability had been established. At a group hearing, the Immigration Judge asked the respondent and others whose last digits of their alien registration numbers are 692, 113, 704, and 903, whether they had a valid entry document issued to them by the United States government at the time that they presented themselves at the port of entry in Texas in May 2019, to which they answered no. *See* Tr. at 10-13. She then stated that, with respect to those with the last digits of their alien registration numbers of 629, 113, 704, and 905, the charge of removal was sustained based on their admissions. *Id.* However, it appears that she misstated the digits of the alien registration numbers of two of the aliens, including the respondent. *Id.*