



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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3900 Power Line Road
Pompano Beach, FL 33072**

Name: MORENO GRULLON, LEYMI SA... A 099-994-900

Date of this notice: 1/30/2014

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:
Hoffman, Sharon

AtkinsOP
Userteam: Docket

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**MORENO GRULLON, LEYMI SAHIRA
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**DHS/ICE Office of Chief Counsel - BTC
3900 Power Line Road
Pompano Beach, FL 33072**

Name: MORENO GRULLON, LEYMI SA... A 099-994-900

Date of this notice: 1/30/2014

Enclosed is a copy of the Board's decision in the above-referenced case. This copy is being provided to you as a courtesy. Your attorney or representative has been served with this decision pursuant to 8 C.F.R. § 1292.5(a). If the attached decision orders that you be removed from the United States or affirms an Immigration Judge's decision ordering that you be removed, any petition for review of the attached decision must be filed with and received by the appropriate court of appeals within 30 days of the date of the decision.

Sincerely,

Donna Carr

Donna Carr
Chief Clerk

Enclosure

Panel Members:
Hoffman, Sharon

AtkinsOP
Userteam: Docket

Immigrant & Refugee Appellate Center | www.irac.net

Falls Church, Virginia 20530

File: A099 994 900 - Pompano Beach, FL

Date: JAN 30 2014

In re: LEYMI SAHIRA MORENO GRULLON

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Rosaura Gonzalez Rucci, Esquire


ON BEHALF OF DHS: Kimberly Hillery
Assistant Chief Counsel

APPLICATION: Reopening

Due to the circumstances presented in this case, and to resolve any issue regarding jurisdiction in this case, we will adjudicate the instant motion in the exercise of our sua sponte authority. *See* 8 C.F.R. § 1003.2(a). On November 21, 2013, the respondent, a native and citizen of the Dominican Republic, filed a motion to reopen these removal proceedings to afford her the opportunity to apply for adjustment of status under section 245 of the Immigration and Nationality Act (Act), 8 U.S.C. §1255. The respondent's motion is supported by an approved immediate relative immigrant visa petition (Form I-130) filed by her United States citizen spouse.¹ Given the totality of the evidence now before us, we find reopening is warranted to afford the respondent the opportunity to apply for adjustment of status. Accordingly, the following orders will be entered.

ORDER: The motion to reopen is granted.

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



FOR THE BOARD

¹ The record reveals that the United States Citizenship and Immigration Services (USCIS) has granted the respondent a stay of removal. The Department of Homeland Security's untimely brief, which neither addresses the grant of a stay nor provides a reason for its delayed response to the motion, will not be considered.