



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

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THOMPSON, CARL ALPHANSO
12 R 2368/A045-613-869
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P.O. Box 606
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Name: THOMPSON, CARL ALPHANSO

A 045-613-869

Date of this notice: 9/30/2013

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:
Holmes, David B.

williams
Userteam: Docket

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Donna Carr

Falls Church, Virginia 22041

File: A045 613 869 - Napanoch, NY

Date:

SÉP 30 2013

In re: CARL ALPHANSO THOMPSON

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Pro se

ON BEHALF OF DHS: C. Cullen Sheppard
Assistant Chief Counsel

ORDER:

The Department of Homeland Security has filed a "Motion To Reopen and Terminate Proceedings." The respondent, a native and citizen of Jamaica, had been found subject to removal as an aggravated felon, based on a June 29, 2012, New York conviction for attempted robbery and criminal possession of a weapon. The DHS acknowledges that the respondent has presented proof that his criminal conviction is now on direct appeal, based on an April 16, 2013, order of the criminal court. *Abreu v. Holder*, 2010 WL 2025751, 378 Fed.Appx. 59 (2d Cir. May 24, 2010) (unpublished) (a late-reinstated appeal "... is equivalent to any other direct appeal for the purposes of finality"). The motion to terminate proceedings without prejudice is granted. The removal proceedings are terminated and the record is returned to the Immigration Court without further action.



FOR THE BOARD