



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals  
Office of the Clerk*

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Name: G [REDACTED], L [REDACTED] P [REDACTED]... A [REDACTED]-818

**Date of this notice: 2/21/2019**

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:  
Liebowitz, Ellen C  
Adkins-Blanch, Charles K.  
Kelly, Edward F.

Userteam: Docket

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Falls Church, Virginia 22041

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File: [REDACTED]-818 – Boston, MA

Date: FEB 21 2019

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

IN REMOVAL PROCEEDINGS

APPEAL AND MOTION

ON BEHALF OF RESPONDENT: Joshua Mansfield, Esquire

APPLICATION: Continuance

The respondent, a native and citizen of Ecuador, appeals from the Immigration Judge's decision dated September 12, 2018, denying his motion for a continuance. In addition, on January 31, 2019, he filed a motion to remand. The motion will be granted.

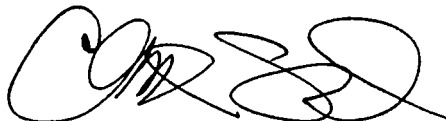
We review the findings of fact, including the determination of credibility, made by the Immigration Judge under the "clearly erroneous" standard. 8 C.F.R. § 1003.1(d)(3)(i). We review all other issues, including issues of law, discretion, or judgment, under a de novo standard. 8 C.F.R. § 1003.1(d)(3)(ii).

In his motion to remand, the respondent states that he has been classified as a Special Immigrant Juvenile under section 101(a)(27)(J) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(27)(J), and is eligible for adjustment of status pursuant to section 245(a) of the Act, 8 U.S.C. § 1255(a) (Motion at 2). In support of his contention, the respondent has provided a copy of his November 21, 2018, approval notice of his Petition for Special Immigrant Juvenile Status (Form I-360), which was pending for adjudication at the time of the hearing. He has also submitted his application for adjustment of status and supporting documentation. Moreover, we consider that the Immigration Judge previously continued these proceedings to await the adjudication of the Form I-360. In light of the foregoing, we will remand these proceedings to provide the respondent an opportunity to establish that he is eligible for and deserving of adjustment of status.

Accordingly, the following orders will be entered.

ORDER: The motion to remand is granted.

FURTHER ORDER: The record is remanded to the Immigration Judge for further proceedings consistent with the foregoing opinion and for entry of a new decision.



FOR THE BOARD