



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

TURRUBIATES-ALEGRIA, FELIPE
[REDACTED]
[REDACTED]
[REDACTED]

DHS/ICE Office of Chief Counsel - CHL
5701 Executive Ctr Dr.,
Ste 300
Charlotte, NC 28212

Name: TURRUBIATES-ALEGRIA, FELIPE A 206-491-082

Date of this notice: 12/4/2017

Enclosed is a copy of the Board's decision in the above-referenced case. 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 this decision.

Sincerely,

Donna Carr

Donna Carr
Chief Clerk

Enclosure

Panel Members:
Kendall Clark, Molly

USCIS
User team: Docket

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Falls Church, Virginia 22041

File: A206 491 082 – Charlotte, NC

Date: DEC - 4 2017

In re: Felipe TURRUBIATES-ALEGRIA

IN REMOVAL PROCEEDINGS

INTERLOCUTORY APPEAL

ON BEHALF OF RESPONDENT: Pro se

ON BEHALF OF DHS: Hilary Rainone
Assistant Chief Counsel

The Department of Homeland Security (DHS), has filed an interlocutory appeal from the Immigration Judge's November 3, 2017, decision to administratively close the respondent's removal proceedings to allow him to pursue a Form I-601A, Application for Provisional Unlawful Presence Waiver, before the U.S. Citizenship and Immigration Services (USCIS). To avoid piecemeal review of the multiple queries that may arise during the course of removal proceedings, ordinarily the Board does not entertain interlocutory appeals. *See Matter of M-D-*, 24 I&N Dec. 138, 139 (BIA 2007), and cases cited therein. We have on occasion accepted interlocutory appeals to address significant jurisdictional questions about the administration of the immigration laws, or to correct recurring problems in the handling of cases by Immigration Judges. *See, e.g., Matter of Guevara*, 20 I&N Dec. 238 (BIA 1990, 1991); *Matter of Dobere*, 20 I&N Dec. 188 (BIA 1990). The issue of whether the Immigration Judge properly granted the respondent's request for administrative closure does not present a significant question about the administration of the immigration laws, nor does it involve a recurring problem in Immigration Judges' handling of cases. Thus, the question raised in this interlocutory appeal does not fall within the limited ambit of cases where we deem it appropriate to exercise our jurisdiction. Accordingly, the following order will be entered.

ORDER: The record shall be returned to the Immigration Court with no further action.


FOR THE BOARD