



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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Name: M [REDACTED] -D [REDACTED], M [REDACTED] ... A [REDACTED] -465

Date of this notice: 3/1/2018

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:
Guendelsberger, John
Grant, Edward R.
Kendall Clark, Molly

Userteam: Docket

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Falls Church, Virginia 22041

File: [REDACTED] 465 – Dallas, TX

Date: MAR – 1 2018

In re: M [REDACTED] D [REDACTED] M [REDACTED] -D [REDACTED]

IN REMOVAL PROCEEDINGS

INTERLOCUTORY APPEAL

ON BEHALF OF RESPONDENT: Kendell Jean Johnson, Esquire

APPLICATION: Change of venue

The respondent has filed an interlocutory appeal from the Immigration Judge's December 4, 2017, decision denying the respondent's motion for a change of venue. We find it appropriate to exercise our jurisdiction over this case and address the merits of this appeal.

In the respondent's motion to change venue, she admitted the factual allegations in the Notice to Appear (Form I-862) and conceded removability as charged. The respondent also submitted an application for asylum, withholding of removal and protection under the Convention Against Torture. *See* sections 208 and 241(b)(3) of the Immigration and Nationality Act, respectively, 8 U.S.C. §§ 1158, 1231(b)(3); 8 C.F.R. § 1208.16(c)(2). Having appeared for master calendar hearings in Dallas, Texas, she requests that her case be scheduled at the Boston, Massachusetts, Immigration Court in proximity to her residence, witnesses, and attorney of record. The Department of Homeland Security has not expressed opposition to the respondent's motion to change venue. We find that good cause has been shown, and will grant the motion to change venue. *Matter of Rahman*, 20 I&N Dec. 480 (BIA 1992).

Accordingly, the interlocutory appeal will be sustained and venue transferred to the Boston Immigration Court.

ORDER: The interlocutory appeal is sustained, and the motion to change venue to Boston is granted.

FURTHER ORDER: The record is remanded to the Immigration Court for further proceedings.


FOR THE BOARD