



## U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals*

*Office of the Clerk*

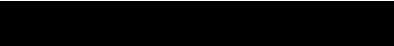
5107 Leesburg Pike, Suite 2000  
Falls Church, Virginia 22041



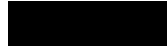
**Yale-Loehr, Stephen**  
**Cornell Law School**  
**Myron Taylor Hall Cornell University**  
**Ithaca NY 14853**

**DHS/ICE Office of Chief Counsel - VNS**  
**606 S. Olive Street, 8th Floor**  
**Los Angeles CA 90014**

Name:



A



**Date of this Notice: 6/2/2023**

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

Sincerely,

A handwritten signature in black ink that reads "Donna Carr".

Donna Carr  
Chief Clerk

Enclosure

Userteam: Docket



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5107 Leesburg Pike, Suite 2000  
Falls Church, Virginia 22041

[REDACTED]  
A [REDACTED]  
**GOLDEN STATE ANNEX  
611 FRONTAGE ROAD  
MCFARLAND CA 94612**

**DHS/ICE Office of Chief Counsel - VNS  
606 S. Olive Street, 8th Floor  
Los Angeles CA 90014**

Name: [REDACTED]

A [REDACTED]

**Date of this Notice: 6/2/2023**

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

Userteam: Docket

**NOT FOR PUBLICATION**

U.S. Department of Justice  
Executive Office for Immigration Review  
Board of Immigration Appeals

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MATTER OF:

[REDACTED], [REDACTED]

Applicant

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**FILED**

Jun 02, 2023

ON BEHALF OF APPLICANT: Stephen Yale-Loehr, Esquire

ON BEHALF OF DHS: Norman Parkhurst, Deputy Chief Counsel

**IN WITHHOLDING ONLY PROCEEDINGS**

On Appeal from a Decision of the Immigration Court, Van Nuys, CA

Before: Wilson, Appellate Immigration Judge

WILSON, Appellate Immigration Judge

The applicant appeals the Immigration Judge's January 12, 2023, decision denying his applications for withholding of removal under section 241(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1231(b)(3), as well as protection under the regulations implementing the Convention Against Torture, 8 C.F.R. §§ 1208.16(c), 1208.18.<sup>1</sup> While the appeal was pending, the Department of Homeland Security ("DHS") filed a motion to dismiss proceedings without prejudice, based on its inadvertent disclosure of the applicant's private information on its public website in violation of the confidentiality obligations set forth in 8 C.F.R. § 208.6. DHS requests that proceedings be dismissed so it may place the applicant in removal proceedings. The applicant has indicated his non-opposition to a remand (Applicant's Br. at 34).

Accordingly, the following order will be entered.

ORDER: DHS' motion is granted, and these proceedings are dismissed without prejudice.

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<sup>1</sup> The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, S. Treaty Doc. No. 100-20, 1465 U.N.T.S. 85 (entered into force for the United States Nov. 20, 1994).