



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

Hazany, Leon., Esq
Law Firm of Leon Hazany & Asspc. APLC
5670 Wilshire Blvd., Suite 1730
Los Angeles, CA 90036

DHS/ICE Office of Chief Counsel - NYC
26 Federal Plaza, Room 1130
New York, NY 10278

Name: [REDACTED]

A [REDACTED]

Date of this notice: 3/17/2011

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:
Kendall-Clark, Molly

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

Decision of the Board of Immigration Appeals

Falls Church, Virginia 22041

File: A [REDACTED] - New York, NY

Date: MAR 17 2011

In re: [REDACTED] a.k.a. [REDACTED]

IN REMOVAL PROCEEDINGS

MOTION

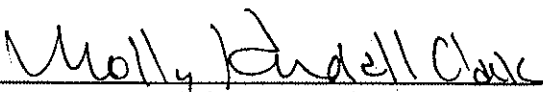
ON BEHALF OF RESPONDENT: Leon Hazany, Esquire

ON BEHALF OF DHS: Susan Egan
Senior Attorney

APPLICATION: Reopening

ORDER:

The Department of Homeland Security (DHS) joins the respondent's motion to reopen and remand these proceedings to the Immigration Judge for redetermination of removability. The respondent contends that he is no longer removable as he has presented evidence that his conviction for criminal possession of marijuana in the 5th degree in violation of section 221.10 of the New York Penal Law was dismissed by the Esopus Town Court, County of Ulster, State of New York on October 22, 2001. Accordingly, the motion is granted, the proceedings are reopened, the record is remanded for further proceedings, and entry of a new decision.



FOR THE BOARD