

Falls Church, Virginia 22041

File: A095 599 461 - Detroit, MI

Date: MAY 24 2011

In re: WARIO ZACHARIAH ABARUFA HUSSEIN

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Pro se

APPLICATION: Reopening

ORDER:

Considering the totality of circumstances presented in the respondent's motion, which has not been opposed by the Department of Homeland Security (DHS), the proceedings are reopened under the provisions of 8 C.F.R. § 1003.2(a), and the record will be remanded to the Immigration Judge to provide the respondent a further opportunity to establish his eligibility for relief from removal after the parties have been provided the opportunity to present additional, more current evidence regarding the matters at issue in this case.¹

FURTHER ORDER: The record is remanded to the Immigration Judge for further proceedings not inconsistent with this order and for the entry of a new decision.



FOR THE BOARD

¹ The unrepresented respondent has presented evidence that he is the beneficiary of an approved immediate relative visa petition filed by his United States citizen wife. The respondent's possible eligibility for adjustment of status can be examined on remand.