



Board of Immigration Appeals  
Office of the Clerk

5107 Leesburg Pike, Suite 2000  
Falls Church, Virginia 20530

Lin, Stewart, Esq.  
Lin & Valdez, LLP  
9999 Bellaire Blvd., Suite 360  
Houston, TX 77036

DHS/ICE Office of Chief Counsel - [REDACTED]  
[REDACTED]  
[REDACTED]

Name: [REDACTED]

A 073-[REDACTED]

Date of this notice: 1/23/2015

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:  
[REDACTED]

schwarzA  
User team: Docket

Falls Church, Virginia 20530

---

File: A073 [REDACTED]

Date: JAN 23 2015

In re: [REDACTED]

IN EXCLUSION PROCEEDINGS

APPEAL AND MOTION

ON BEHALF OF APPLICANT: Stewart Lin, Esquire

ON BEHALF OF DHS: [REDACTED]  
Assistant Chief Counsel.

APPLICATION: Remand

The respondent, a native and citizen of [REDACTED], appeals from the Immigration Judge's decision dated October [REDACTED], 2012, denying his applications for asylum pursuant to section 208(b)(1)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1158(b)(1)(A), withholding of removal pursuant to section 241(b)(3) of the Act, 8 U.S.C. § 1231(b)(3), and protection under the Convention Against Torture pursuant to 8 C.F.R. §§ 1208.16(c)-18. The Department of Homeland Security opposes the appeal. The record will be remanded for further proceedings.

We review for clear error the findings of fact, including the determination of credibility, made by the Immigration Judge. 8 C.F.R. § 1003.1(d)(3)(i). We review de novo all other issues, including whether the parties have met the relevant burden of proof, and issues of discretion. 8 C.F.R. § 1003.1(d)(3)(ii).

**ORDER:** The respondent's motion to remand is granted.

**FURTHER ORDER:** The record is remanded for further proceedings consistent with the foregoing opinion.

~~\_\_\_\_\_~~  
**FOR THE BOARD**