

NOTICE OF APPEAL TO THE BOARD OF IMMIGRATION APPEALS OF DECISION OF DISTRICT DIRECTOR

In the Matter:

Fee Stamp

File Number: A - -

1. I hereby appeal to the Board of Immigration Appeals from the decision of the District Director, _____ District, dated _____, in the above entitled case.
2. Specify reasons for this appeal and continue on separate sheets if necessary. If the factual or legal basis for the appeal is not sufficiently described the appeal may be summarily dismissed.

3. I do do not desire oral argument before the Board of Immigration Appeals in Falls Church, Virginia.
4. I am am not filing a separate written brief or statement.

Signature of Appellant
(or attorney or representative)

(print or type name)

Date

Address (number, street, city, state, Zip code)

INSTRUCTIONS

1. **Filing.** This notice of appeal must be filed with the Office of the Immigration and Naturalization Service (INS) having administrative control over the Record of Proceeding within 15 calendar days (or 18 calendar days if mailed) after service of the decision of the District Director. The Notice of Appeal is not to be forwarded directly to the Board of Immigration Appeals (BIA).
 2. **Fees.** A fee of one hundred and ten dollars (\$110) must be paid for filing this appeal. It cannot be refunded regardless of the action taken on the appeal. (Only a single fee need be paid if two or more persons are covered by a single decision.) DO NOT MAIL CASH. ALL FEES MUST BE SUBMITTED IN THE EXACT AMOUNT. Payment by check or money order must be drawn on a bank or other institution located in the United States and be payable in United States Currency. If appellant resides in Guam, check or money order must be payable to the "Treasurer of Guam." If appellant resides in the Virgin Islands, checks or money order must be payable to the "Commissioner of Finance of the Virgin Islands." All other appellants must make the check or money order payable to the "Treasurer of the United States." When check is drawn on account of a person other than the appellant, the name and "A" number of the appellant must be entered on the face of the check. If appeal is submitted from outside the United States, remittance may be made by bank international money order or foregoing draft drawn on a financial institution in the United States and payable to the "Treasurer of the United States" in United States currency. Personal checks are accepted subject to collectibility. An uncollected check will render the appeal form and any document issued pursuant thereto invalid.
 3. **Counsel.** In presenting and prosecuting this appeal, the INS may be represented by appropriate counsel. An appellant may be represented at no expense to the Government by counsel or other duly authorized representative. A separate notice of appearance must be filed with this notice of appeal.
 4. **Briefs.** When a brief is filed, it shall be submitted to the Office of the Immigration and Naturalization Service having administrative control over the Record of Proceeding in this matter within the time designated by the District Director. A copy shall be served on the opposing party. The District Director, or the BIA, for good cause, may extend the time of filing a brief or reply brief. The BIA in its discretion may authorize the filing of briefs with it, in which event the opposing party shall be allowed a specified time to respond.
 5. **Oral argument.** No personal appearance by the appellant or counsel is required. The BIA will consider every case on the record submitted, whether or not oral representations are made. Oral argument may be requested. If approved, oral argument in any case should not extend beyond fifteen (15) minutes, unless additional time is granted by the BIA pursuant to a request made in advance of the hearing. No interpreters are furnished by the Government for the argument before the BIA.
- An appellant will not be released from detention or permitted to enter the United States to present oral argument to the BIA personally. The appellant, however, may make arrangements to have someone represent him/her before the BIA. Unless such arrangements are made at the time the appeal is taken, the Board will not calendar the case for argument.
6. **Summary dismissal of appeals.** The BIA may deny oral argument and summarily dismiss any appeal in which (i) the party concerned fails to specify the reasons for his/her appeal on the reverse side of this form, (ii) the only reason specified by the party concerned for his/her appeal involves a finding of fact or conclusion of law which was conceded by him/her at the hearing, (iii) the appeal is from an order that grants the party concerned the relief which he/she requested, or (iv) if the BIA is satisfied from a review of the record, that the appeal is frivolous or filed solely for the purpose of delay.