

Matter of Onesta REYES, Respondent

Decided by Attorney General November 21, 2019

U.S. Department of Justice
Office of the Attorney General

BEFORE THE ATTORNEY GENERAL

Pursuant to 8 C.F.R. §1003.1(h)(1)(i), I direct the Board of Immigration Appeals (“Board”) to refer this case to me for review of its decision. The Board’s decision in this matter is automatically stayed pending my review. *See Matter of Haddam*, A.G. Order No. 2380-2001 (Jan. 19, 2001). To assist me, I invite the parties and interested amici to submit briefs that address whether an alien who has been convicted of a criminal offense necessarily has been convicted of an aggravated felony for purposes of 8 U.S.C. §1227(a)(2)(A)(iii), where all of the elements of the underlying statute of conviction, and thus all of the means of committing the offense, correspond either to an aggravated felony theft offense, as defined in 8 U.S.C. §1101(a)(43)(G), or to an aggravated felony fraud offense, as defined in 8 U.S.C. §1101(a)(43)(M)(i).

The parties’ briefs shall not exceed 15,000 words and shall be filed on or before December 20, 2019. Interested amici may submit briefs not exceeding 9,000 words on or before January 17, 2020. The parties may submit reply briefs not exceeding 6,000 words on or before January 17, 2020. All filings shall be accompanied by proof of service and shall be submitted electronically to AGCertification@usdoj.gov, and in triplicate to:

United States Department of Justice
Office of the Attorney General, Room 5114
950 Pennsylvania Avenue, NW
Washington, DC 20530

All briefs must be both submitted electronically and postmarked on or before the pertinent deadlines. Requests for extensions are disfavored.