



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



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DHS/ICE OFFICE OF CHIEF COUNSEL - SDC
146 CCA ROAD, P.O. BOX 248
LUMPKIN GA 31815

Name: GUEVARA, MARIO ALEXANDER A 088-402-287

Date of this Notice: 9/19/2025

Enclosed is a copy of the Board's decision and order in the above-referenced case.

Sincerely,

A handwritten signature in black ink, appearing to read "John Seiler".

John Seiler
Acting Chief Clerk

Enclosure

Userteam: Docket



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5107 Leesburg Pike, Suite 2000
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GUEVARA, MARIO ALEXANDER
A 088402287
FOLKSTON ANNEX IPC
P.O. BOX 248
FOLKSTON GA 31537

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146 CCA ROAD, P.O. BOX 248
LUMPKIN GA 31815

Name: GUEVARA, MARIO ALEXANDER A 088-402-287

Date of this Notice: 9/19/2025

Enclosed is a copy of the Board's decision in the above-referenced case. This copy is being provided to you as a courtesy. Your attorney or representative has been served with this decision pursuant to 8 C.F.R. § 1292.5(a). If the attached decision orders that you be removed from the United States or affirms an Immigration Judge's decision ordering that you be removed, any petition for review of the attached decision must be filed with and received by the appropriate court of appeals within 30 days of the date of the decision.

Sincerely,

John Seiler
Acting Chief Clerk

Enclosure

Userteam: Docket

NOT FOR PUBLICATION

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

MATTER OF:

Mario Alexander GUEVARA, A088-402-287

Respondent

FILED
Sep 19, 2025

ON BEHALF OF RESPONDENT: Giovanni J. Diaz, Esquire

ON BEHALF OF DHS: Emily C. Reece, Deputy Chief Counsel

IN BOND PROCEEDINGS

On Appeal from a Decision of the Immigration Court, Lumpkin, GA

Before: Malphrus, Chief Appellate Immigration Judge; Gemoets, Appellate Immigration Judge;
McCloskey, Temporary Appellate Immigration Judge¹

Opinion by Appellate Immigration Judge Gemoets

GEMOETS, Appellate Immigration Judge

The Department of Homeland Security (“DHS”) has appealed the Immigration Judge’s order of July 1, 2025, granting the respondent’s custody redetermination request and ordering that he be released from custody upon payment of a \$7,500 bond. The basis for the Immigration Judge’s order is set forth in a memorandum dated July 11, 2025. The respondent, a native and citizen of El Salvador, opposes the appeal. The appeal will be dismissed as moot.

The administrative records of this Agency reflect that the Board denied a motion to remand and dismissed the respondent’s appeal of an Immigration Judge’s decision ordering the respondent removed in removal proceedings. The Immigration Judge’s decision is now final. *See* 8 C.F.R. § 1241.1(a). The authority of an Immigration Judge to set bond conditions ceases at the entry of a final administrative order. *See* 8 C.F.R. § 1236.1(d)(1). The Board’s authority to set bond conditions on appeal from an Immigration Judge’s order derives from the Immigration Judge’s underlying authority to redetermine conditions of custody. At this time, neither an Immigration Judge nor this Board has the authority to set bond conditions because a final administrative order has been entered in the respondent’s removal case.

Accordingly, the following orders are entered.

ORDER: The bond appeal is dismissed as moot.

¹ Temporary Appellate Immigration Judges sit pursuant to appointment by the Attorney General. *See generally* 8 C.F.R. § 1003.1(a)(1), (4).

A088-402-287

FURTHER ORDER: The Board's July 7, 2025, decision staying the execution of the bond is vacated and is no longer in effect.