

# Memorandum



**BIA 10-04**

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| <b>Subject</b><br><b>Case Hold Lifted -Va. Code §§ 18.2-57;<br/>18.2-57.2 - in context of crimes of violence</b> | <b>Date</b><br><b>July 26, 2010</b> |
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**To**  
**Board Legal Staff**

**From**  
**David L. Neal, Acting Chairman** *DLN*

As the result of the publication of *Matter of Velasquez*, 25 I&N Dec. 278 (BIA 2010), the existing hold (temporary suspension of the adjudication time limits) on cases turning on the issue of whether a conviction under Va. Code §§ 18.2-57 or 18.2-57.2 (general assault and battery; assault and battery against a family or household member) is one "of violence" (e.g. in the context of sections 101(a)(43)(F) or 237(a)(2)(E) of the Act) is lifted. Cases that were placed in the designated cabinets are in the process of being returned for adjudication. Further instructions will be forthcoming from your Senior Panel Attorney or Team Leader regarding the circulation of cases with this issue.