



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals*

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Chairman

5107 Leesburg Pike, Suite 2400  
Falls Church, Virginia 22041

September 28, 2016

**BIA 16-02**

**MEMORANDUM TO:** Board Legal staff

**FROM:** David L. Neal   
Chairman

**SUBJECT:** CASE HOLD LIFTED – *Matter of Chairez and Sama*

As the result of the publication of *Matter of Chairez*, 26 I&N Dec. 819 (BIA 2016), the existing hold (temporary suspension of the adjudication time limits) where the divisibility of a criminal statute is the dispositive issue is lifted. However, at this time, the *Matter of Silva-Trevino* case hold remains in effect (dispositive issue is whether an offense is a crime involving moral turpitude as directed in Chairman's Memo BIA 15-02).

Cases that were placed on hold pursuant to the *Matter of Chairez and Sama* 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.