



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals

Chairman

5107 Leesburg Pike, Suite 2400
Falls Church, Virginia 22041

March 12, 2018

BIA 18-01

MEMORANDUM TO: Board Legal Staff

FROM: David L. Neal
Chairman

SUBJECT: CASE HOLD – *Matter of Castro-Tum*

As you are aware, the Attorney General recently referred to himself *Matter of Castro-Tum*, 27 I&N Dec. 187 (A.G. 2018) in order to review issues relating to the authority to administratively close immigration proceedings.

The Director has instructed the Board to defer adjudication of interlocutory appeals which depend, in whole or in part, on whether administrative closure is warranted or available. 8 C.F.R. § 1003.0(b)(1)(ii). Accordingly, effective immediately, interlocutory appeals that cannot be adjudicated without resolution of an administrative closure issue will be temporarily suspended.

For any interlocutory appeal that may fall within this description, the attorney must provide a brief statement for his or her supervisor that explains why administrative closure is either dispositive or essential to that appeal's adjudication. Such statement should be attached to the Board Wide Holds Routing Slip.