



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals

Chairman

5107 Leesburg Pike, Suite 2400
Falls Church, Virginia 22041

October 18, 2018

BIA 18-04

MEMORANDUM TO: Board Legal Staff

FROM: David L. Neal
Chairman

SUBJECT: CASE HOLD – *Matter of Negusie*

As you are aware, the Attorney General recently referred to himself *Matter of Negusie*, 27 I&N Dec. 481 (A.G. 2018) in order to review whether coercion and duress are relevant to the application of the Immigration and Nationality Act's persecutor bar. See 8 U.S.C. §§ 1101(a)(42), 1158(b)(2)(A)(i), 1231(b)(3)(B)(i).

Given this development, the Board will temporary suspend adjudication in individual cases where the *Negusie* issue is the dispositive issue. Each case must therefore be scrutinized to determine whether an alternate, legitimate ground for adjudication exists outside the *Negusie* issue.

For any case that warrants a hold, the attorney must attach a brief statement for the Team Leader which explains why there is no alternative basis for adjudication. The statement should be attached to the Board Wide Holds Routing Sheet.