

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JAN 31 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JUAN JOSE DELGADO-MEDINA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-73419

Agency No. A092-260-247

ORDER*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted January 25, 2011**
Pasadena, California

Before: KLEINFELD, LUCERO,*** and GRABER, Circuit Judges.

Respondent's Unopposed Motion to Remand the case to the Board of
Immigration Appeals ("BIA") is GRANTED.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

*** The Honorable Carlos F. Lucero, Circuit Judge for the Tenth Circuit, sitting by designation.

The BIA shall reconsider its June 8, 2006 decision in light of *Sinotes-Cruz v. Gonzales*, 468 F.3d 1190 (9th Cir. 2006). The BIA may direct the parties to file additional briefs, and the parties may seek leave of the BIA to file such additional briefs as they deem appropriate.

Petitioner's removal is stayed pending a decision in this matter by the BIA. Parties will bear their own costs, expenses, and attorneys' fees.

A certified copy of this order sent to the BIA shall constitute the mandate of this court.

REMANDED.