

## UNITED STATES COURT OF APPEALS

APR 14 2011

## FOR THE NINTH CIRCUIT

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

ENCARNACION CLEOTILDE  
GONZALEZ GARCIA; et al.,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-71864

Agency Nos. A071-583-699

A075-739-643

A075-731-152

ORDER

Before: B. FLETCHER, CLIFTON, and BEA, Circuit Judges.

On April 21, 2010, the Board of Immigration Appeals (“BIA”) reopened proceedings in this case and remanded to the immigration judge to afford the lead petitioner the opportunity to apply for benefits under the Nicaraguan Adjustment and Central American Relief Act, Pub. L. No. 105-100, tit. II, 111 Stat. 2193, *amended by* Pub. L. No. 105-139 (1997). The BIA’s order reopened and remanded the cases of all three petitioners. Consequently, there is no final order of removal currently in effect, and this court lacks jurisdiction over the petition for review. *See* 8 U.S.C. § 1252(a)(1); *cf. Alcala v. Holder*, 563 F.3d 1009 (9th Cir. 2009).

**PETITION FOR REVIEW DISMISSED WITHOUT PREJUDICE.**