

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT
May 23, 2012

No. 11-3157

Jordana Vera,
Petitioner

v.

Attorney General of the United States,
Respondent

(Agency No. A201-246-042)

Present: SLOVITER, VANASKIE, and GREENBERG, Circuit Judges

1. Motion by Respondent to Dismiss Petition for Review for Lack of Jurisdiction and Request to Vacate Decision;
2. Response by Petitioner to Motion to Dismiss Petition for Review for Lack of Jurisdiction and Request to Vacate Decision;
3. Reply by Respondent to Petitioner's Response to Motion to Dismiss Petition for Review for Lack of Jurisdiction and Request to Vacate Decision.

Respectfully,
Clerk/slc

ORDER

The foregoing motion by Respondent to dismiss the petition for review for lack of jurisdiction and vacate the Court's opinion is granted and the petition for review is dismissed and the opinion is vacated. The Court is entering this order because there is no outstanding order of removal so there is nothing to review. The Court notes that it based its decision on the incorrect representation of the Department of Homeland Security that petitioner was admitted to the United States under the Visa Waiver Program and further notes that petitioner did not challenge this representation.

By the Court,

/s/ Morton I. Greenberg
Circuit Judge

Dated: June 13, 2012

SLC/cc: Sharon M. Clay
Camille J. Mackler
Brian J. Murray
Charles Roth
Joseph C. Hohenstein