

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

June 8, 2022

Christopher M. Wolpert
Clerk of Court

SIMON CHAVEZ-GOVEA,

Petitioner,

v.

MERRICK B. GARLAND, United States
Attorney General,

Respondent.

No. 22-9512
(Petition for Review)

ORDER AND JUDGMENT*

Before **MATHESON**, **BACHARACH**, and **PHILLIPS**, Circuit Judges.

This matter is before the court on the Respondent’s Unopposed Motion to Remand (the “Motion”). Upon consideration, the Motion is granted, as modified by this order.

The order filed by the Board of Immigration Appeals (the “Board”) filed February 7, 2022, is vacated. This matter is remanded fully to the Board to conduct any and all additional proceedings it deems necessary and appropriate to address the

* After examining the Motion, the opening brief, and the administrative record, this panel has determined unanimously that oral argument would not materially assist in the determination of this case. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

matters raised in the Motion. The additional request to stay the briefing schedule is denied as unnecessary.

The parties have agreed that the petitioner will not be subject to removal pending the Board's decision in the proceedings on remand.

This proceeding is dismissed. A copy of this order shall stand as and for the mandate of this court.

Entered for the Court

Per Curiam