

# BOARD OF IMMIGRATION APPEALS

- Matter of LOPEZ-TICAS, 29 I&N Dec. 90 (BIA 2025)

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**The lack of time and place information on the notice to appear does not render untrue or incorrect a respondent's admission to the factual allegations or invalidate the charges of removability in the notice to appear and therefore is not a proper basis for granting a respondent's motion to withdraw pleadings.**

**The Immigration Judge granted the motion on November 12, 2021, and DHS appealed.**

**On October 28, 2022, the Board sustained DHS' appeal, concluding that the respondent forfeited her objection to the noncompliant notice to appear under Matter of Fernandes, 28 I&N Dec. 605, 610-11 (BIA 2022), because the objection was not raised before the close of pleadings. The Board also concluded that the Immigration Judge erred in finding that *Niz-Chavez v. Garland*, 593 U.S. 155 (2021), represented a change in law that warranted termination of the proceedings. The Board vacated the Immigration Judge's decision, reinstated the proceedings, and remanded the record to the**

**Immigration Court for further proceedings.**