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Theft

Theft no longer requires an intent to deprive.

The Board of Immigration Appeals has overruled its decision in *Matter of Jurado*, which assumed that retail theft in Pennsylvania inherently includes an intent to permanently deprive, finding it inconsistent with the categorical approach outlined by the Supreme Court in *Mathis v. United States*. The Board then concluded that Pennsylvania retail theft convictions criminalize less than permanent takings, and thus, under pre-*Diaz Lizarraga* precedent, they do not constitute crimes involving moral turpitude.

The full text of *Matter of Thakker* can be found here:

<https://www.justice.gov/d9/2024-09/4080.pdf>

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