

Matter of B-Z-R-, Respondent

Decided by Attorney General December 9, 2021

U.S. Department of Justice
Office of the Attorney General

BEFORE THE ATTORNEY GENERAL

Pursuant to 8 C.F.R. § 1003.1(h)(1)(i), I direct the Board of Immigration Appeals (“Board”) to refer this case to me for review of its decision. The Board’s decision in this matter is automatically stayed pending my review. *See Matter of Haddam*, A.G. Order No. 2380-2001 (Jan. 19, 2001). To assist me in my review, I invite the parties to these proceedings and interested amici to submit briefs on: Whether mental health may be considered when determining whether an individual was convicted of a “particularly serious crime” within the meaning of 8 U.S.C. §§ 1158(b)(2)(A)(ii) and 1231(b)(3)(B)(ii). *See Matter of G-G-S-*, 26 I&N Dec. 339 (BIA 2014) (holding that “a person’s mental health is not a factor to be considered in a particularly serious crime analysis and that adjudicators are constrained by how mental health issues were addressed as part of the criminal proceedings”).

The parties’ briefs shall not exceed 6,000 words and shall be filed on or before January 10, 2022. Interested amici may submit briefs not exceeding 4,500 words on or before January 17, 2022. The parties may submit reply briefs not exceeding 3,000 words on or before January 24, 2022. All filings shall be accompanied by proof of service and shall be submitted electronically to AGCertification@usdoj.gov, and in triplicate to:

United States Department of Justice
Office of the Attorney General, Room 5114
950 Pennsylvania Avenue, NW
Washington, DC 20530

All briefs must be both submitted electronically and postmarked on or before the pertinent deadlines. Requests for extensions are disfavored.