FILED
United States Court of Appeals
Tenth Circuit

July 21, 2021

Christopher M. Wolpert
Clerk of Court

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

DANIEL ALBERTO DERAS-PENA; DIMAS PENA-DERAS,

Petitioners,

v.

MERRICK B. GARLAND, United States Attorney General,

Respondent.

No. 21-9541
(Petition for Review)

ORDER AND JUDGMENT*

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

This matter is before the court on the Government's *Unopposed Motion to Remand*, by which it requests that this court remand to the Board of Immigration Appeals ("BIA") for further consideration of Petitioners' claims, in light of the Attorney General's vacatur of *Matter of A-B-*, 28 I. & N. Dec. 199 (A.G. 2021). *See Matter of A-B-*, 28 I. & N. Dec. 307 (A.G. 2021).

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* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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.

Upon consideration, the motion is granted. This matter is remanded to the BIA for further consideration of Petitioners' claims, in light of the Attorney General's vacatur of *Matter of A-B-*, 28 I. & N. Dec. 199 (A.G. 2021).

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

Entered for the Court

Per Curiam