

BOARD OF IMMIGRATION APPEALS

Matter of E-N-N-

29 I. & N. Dec. 586 (B.I.A. 2026) · No. ID 4185 · Decided March 20, 2026

SUMMARY

The Board of Immigration Appeals sustained the Department of Homeland Security’s appeal from an Immigration Judge’s grant of withholding of removal to a Cameroonian respondent. The Board found clear error in the Immigration Judge’s credibility determination and legal error in the conclusory finding of a pattern or practice of persecution against Anglophones in Cameroon, and remanded for further proceedings.

CASE DETAILS

COURT	Board of Immigration Appeals
WRITING FOR THE COURT	Gemoets, Appellate Immigration Judge; Chaban, Appellate Immigration Judge; Gillies, Temporary Appellate Immigration Judge
JURISDICTION	Board of Immigration Appeals
DECIDED	March 20, 2026
DOCKET	ID 4185
DISPOSITION	remanded
PROCEDURAL POSTURE	The Department of Homeland Security appealed an Immigration Judge's decision granting withholding of removal to the respondent, a native and citizen of Cameroon.
STANDARD OF REVIEW	The Board reviews an Immigration Judge's factual findings, including credibility determinations, for clear error and reviews legal conclusions de novo. The Board applied clear-error review to the credibility determination and identified legal error in the pattern-or-practice analysis.
PRECEDENTIAL VALUE	Published and designated as precedent by the Acting Attorney General under 8 C.F.R. § 1003.1(g)(3).
PARTIES	Department of Homeland Security v. E-N-N-, Respondent

TOPICS

- removal proceedings
- appellate procedure
- immigration
- evidence
- standard of review

PRACTICE AREAS

immigration law

removal proceedings

administrative law

evidence

QUESTIONS PRESENTED

1. Whether the Immigration Judge clearly erred by finding the respondent credible without addressing inconsistencies, implausibilities, and errors in the supporting medical evidence.
2. Whether the Immigration Judge legally erred in finding a pattern or practice of persecution against Anglophones in Cameroon based on a conclusory analysis, an incorrect likelihood standard, and without addressing the respondent's similarly situated family members who remained unharmed.
3. Whether the record should be remanded for further proceedings and a new decision.

HOLDINGS

1. The Immigration Judge clearly erred by finding the respondent credible without addressing material inconsistencies, implausibilities, and errors in the medical evidence. The failure to provide adequate credibility findings requires further evaluation on remand.
2. The Immigration Judge committed legal error by relying on a conclusory pattern-or-practice finding, applying a likelihood standard rather than the clear-probability or more-likely-than-not standard, and failing to explain why the respondent's unharmed, similarly situated family members did not undermine the claim.

KEY QUOTATIONS

“The Immigration Judge clearly erred in finding the respondent credible without addressing inconsistencies and implausibilities that were present in the record.” (586)

“This is not the correct standard for withholding of removal, which requires a “clear probability” or “more likely than not” standard to be met.” (587)

“ORDER: The appeal is sustained, and the record is remanded for further proceedings consistent with the foregoing opinion and entry of a new decision.” (588)

FACTUAL BACKGROUND

The respondent, a native and citizen of Cameroon, sought withholding of removal based in part on alleged persecution of Anglophones and injuries allegedly inflicted by government officials during prolonged detention. The record contained inconsistencies concerning the hospital, treatment received, and weapons allegedly used, as well as errors in medical documents. The respondent's mother, siblings, and child remained in Cameroon unharmed despite also being Anglophones.

PROCEDURAL HISTORY

The Immigration Judge granted withholding of removal on June 25, 2025. The Department of Homeland Security appealed, challenging the Immigration Judge's favorable credibility determination and pattern-or-

practice finding. The Board sustained the appeal and remanded the record for further proceedings and a new decision.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The Immigration Judge must reevaluate the respondent's credibility, address the inconsistencies, implausibilities, and medical-document errors, analyze whether the independent evidence establishes a pattern or practice of persecution, apply the clear-probability or more-likely-than-not standard, explain the significance of the respondent's unharmed family members, and enter a new decision. Both parties may submit additional evidence and arguments.

CASES CITED

- Matter of A-M-, 23 I&N Dec. 737, 740-42 (BIA 2005)
- INS v. Stevic, 467 U.S. 407, 424 (1984)
- Sanchez-Castro v. U.S. Att'y Gen., 998 F.3d 1281, 1286 (11th Cir. 2021)
- Suwarjo v. U.S. Att'y Gen., 274 F. App'x 794, 797 (11th Cir. 2008)
- Candra v. U.S. Att'y Gen., 222 F. App'x 865, 870-71 (11th Cir. 2007)
- Matter of M-S-, 21 I&N Dec. 125, 129 (BIA 1995)
- Matter of L-O-G-, 21 I&N Dec. 413, 422 (BIA 1996)