

January 24, 2020

**NIJC *Pro Bono* Case List: 54 cases need *pro bono* representation.**

NIJC's *pro bono* attorneys ensure access to justice and advocate for due process. By helping an immigrant navigate the complicated immigration system, ensuring an asylum seeker is not deported to a country where she faces persecution and torture, or protecting a family from separation through deportation, you can change a life!

**\*\*To find NIJC's most urgent matters, please search for "urgent"\*\*\***

➤ **Asylum:**

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**HOW TO GET INVOLVED**

No matter what type of case interests you, the next steps to help an NIJC client are easy:

- 1) **[Watch a webinar from a past training.](#)**
- 2) **Choose an NIJC client to represent.**
- 3) **Utilize NIJC's [extensive pro bono resources](#) and in-house expertise to prepare a strong case for your client.**

A detailed explanation of the various types of *pro bono* cases available for representation can be found on NIJC's [website](#). For information about

- **Detained** cases, please contact Jesse Johnson at (312) 660-1681 or [jejohnson@heartlandalliance.org](mailto:jejohnson@heartlandalliance.org).
- **LGBT** cases, please contact Michelle Velazquez at (312) 660-1306 or [mivelazquez@heartlandalliance.org](mailto:mivelazquez@heartlandalliance.org).
- For all other **asylum** cases, please contact Anna Sears at (312) 660-1307 or [ansears@heartlandalliance.org](mailto:ansears@heartlandalliance.org).
- For **SIJS** cases, please contact Hillary Richardson at (773) 672-6601 or [hrichardson@heartlandalliance.org](mailto:hrichardson@heartlandalliance.org).
- For **U Visa** or **VAWA** cases, please contact Lizbeth Sanchez at (312) 660-1318 or [lisanchez@heartlandalliance.org](mailto:lisanchez@heartlandalliance.org).

For general information regarding *pro bono* opportunities at NIJC, contact Ellen Miller, *Pro Bono* Manager at (312) 660-1415 or [emiller@heartlandalliance.org](mailto:emiller@heartlandalliance.org).

## Asylum Cases

### Asylum: Detained Asylum Seekers

*Because Immigration & Customs Enforcement (ICE) detains immigrants at government expense, detained asylum cases are adjudicated more quickly than non-detained cases. The detained cases should be scheduled for a merits hearing about six-eight weeks after their asylum application is filed. As these individuals are often detained at county jails hours away from Chicago, pro bono attorneys conduct telephonic meetings with them in lieu of meeting in person. NIJC has successfully represented hundreds of men and women in detention and will help pro bono attorneys navigate the detention system and prepare strong cases.*

All detention cases are currently placed with *pro bono* attorneys. Please contact Jesse Johnson, [jejohnson@heartlandalliance.org](mailto:jejohnson@heartlandalliance.org), if interested in representing a detained asylum seeker.

### Asylum: Unaccompanied Immigrant Children (UIC)

*In recent years, thousands of children have fled violence in their home countries to seek protection in the United States. Despite their ages and inability to speak English, these young asylum seekers do not have the right to appointed counsel. Children who meet the definition of an “unaccompanied immigrant child” at the time they file for asylum are able to seek asylum from the USCIS asylum office in the first instance, even if they are already in deportation proceedings.*

- 1. B. is a young man from Guatemala. USCIS retains initial jurisdiction over his application for asylum because he was designated as an Unaccompanied Immigrant Child (UIC) when he entered the United States. He is not currently in removal proceedings. B. speaks Spanish and lives in central Wisconsin. (19-0133272)***

**\*Urgent\***

Gang members in Guatemala threatened, assaulted, and forcibly recruited B. on his way to and from school on multiple occasions. The gang demanded that B. extort stores and sell drugs for them, and they offered to give him a weapon to carry while did those things. When B. refused to join the gang, gang members beat him badly and told B. that they would kill him and his family if he continued to refuse their orders. The gang then threatened and assaulted B.’s father. Fearing for his life and the safety of his family, B. fled to the United States in March 2019. Although B. was issued a Notice to Appear (NTA) when he entered the United States, the Department of Homeland Security (DHS) has not yet filed B.’s NTAs with the immigration court. Unless and until B.’s NTA is filed with the immigration court, he is not yet in removal proceedings. USCIS must receive B.’s skeletal asylum application by March 11, 2020. His affidavit and other supporting documents will be due one week prior to his interview at the asylum office, which will likely occur 4-6 weeks after filing.

- 2. M. is a young man from Guatemala. Because M. met the definition of an unaccompanied immigrant child at the time he filed for asylum, USCIS has initial jurisdiction over his asylum application, even though he is in removal proceedings.***

***M.'s first Master Calendar Hearing has not yet been scheduled. M. speaks Spanish and Quiche and lives a suburb of Chicago, Illinois. NIJC will assist his pro bono attorneys in securing an interpreter. (18-0126866)***

M. grew up in a small village in Guatemala. When M. was around 16 years old, armed men from a criminal group began attempting to forcibly recruit him. These men frequently threatened to kill M. and his family if M. did not agree to join them. On one occasion, they took M. to a secluded area and demanded that he plant marijuana in his family's fields and grow it for them. The men threatened M. with death if he refused. Fearing for his life, M. agreed to plant the marijuana. Over the following months, the armed men continued to threaten M. and his family. To escape the demands and threats of these men, M. cut down the crop of marijuana and fled Guatemala for the United States. NIJC timely filed M.'s application for asylum with USCIS in 2018. M. is currently awaiting an interview in his case at the asylum office. All affidavits and supporting materials to M.'s case will be due one week prior his interview at the asylum office, which has not yet been scheduled. The timeline for M.'s interview is unclear. Please review the asylum office scheduling update at <http://immigrantjustice.org/policy/blog> for more information.

***3. M. and J. are siblings from El Salvador. M. and J.'s removal proceedings have been administratively closed and they do not currently have a future hearing date scheduled. They speak Spanish and live in Chicago, IL. (16-0104948)***

M. and J.'s maternal uncle was a member of the Mara Salvatrucha (MS-13) gang in El Salvador. Their uncle was involved in an intense feud with members of the Mara 18 (M-18) gang in the same community, and the violence and threats spread quickly to M. and J.'s family as well. Eventually M-18 gang members murdered M. and J.'s uncle and then began to target and extort his remaining family, including M. and J.'s parents. Separately, when J. was just 14 years old, an older man began to pursue her, and she later found out that he was a gang member. He tried to coerce her to enter into a relationship with him, and when J. refused, he began threatening her. J. had to stop going to school to avoid the threats. Fearing that they would never be able to be safe from the gangs, M. and J. fled to the United States in 2016 as unaccompanied immigrant children. NIJC filed their skeletal applications for asylum with USCIS. Although M. and J. missed their one-year filing deadline, they qualify for an exception to the deadline, and NIJC will assist their *pro bono* attorneys in making that argument. M. and J. are currently awaiting an interview in their case at the asylum office. All affidavits and supporting materials to M. and J.'s case will be due one week prior their interview at the asylum office, which has not yet been scheduled. The timeline for M. and J.'s interview is unclear. Please review the asylum office scheduling update at <http://immigrantjustice.org/policy/blog> for more information.

## **Asylum: Based on Sexual Orientation and Gender Identity**

*In most cases involving asylum based on sexual orientation or gender identity, NIJC has a significant amount of country conditions research already available. Pro bono attorneys will need to update and supplement this material, but the greater portion of time will be spent working with the client to establish and document the individual aspects of the client's claim.*

**4. J. is a gay man from Mexico. His merits hearing is on September 3, 2020. He is deaf and communicates using ASL. J. lives in Chicago, Illinois. (15-0103571).**

J. had a difficult and isolating childhood; students who perceived him as gay or feminine harassed and groped him at school. When he was about seven years old, he was raped by a family friend. Hearing people also mocked him, and he believes that accommodations for deaf individuals are generally not available in Mexico. J. is concerned about his ability to live and work safely in Mexico where he sees himself as doubly vulnerable because he is deaf and gay. J. entered the U.S. in May of 2002 and filed his asylum application in late 2012 with the help of an attorney in California who works with deaf clients and has an agreement with the Los Angeles Asylum Office regarding the scheduling of interviews for deaf individuals. This system resulted in three canceled interviews in 2013 and 2015, and in 2017. J. was issued an NTA for failing to attend an interview on August 4, 2017, which his attorneys had advised him not to attend because he was already living in Chicago at that time. They claim to have reached an agreement with the asylum office prior to August 4 and believe he was erroneously referred, but have not been able to resolve the situation. His affidavit and other supporting documents will be due 15 days prior to his merits hearing.

**5. M. is an HIV positive gay man from Cote D'Ivoire. He speaks French and lives in Chicago, Illinois. (19-0139923).**

M. has identified as gay since he was about ten years old, and was frequently teased because he was perceived as feminine. He had several long-term relationships with men in Cote D'Ivoire, all of which he kept secret from his devoutly Muslim family and from all but a few close friends. In February 2019, M. went on a date with a man he matched with on dating website. When M. arrived, the man was with friends who beat and raped M. and stole his watch and shoes. Later that year, M. dated a man, "S." who asked to film the two of them having sex. S. later threatened that he would share the video with M.'s family if M. did not take money from his father's business and give it to him. When M. refused to pay S., S. sent the video to M.'s older brother. M.'s family locked him in the house for three days while his dad and older brothers beat him repeatedly. Each day at noon, they took M. to a mosque to bathe him in holy water to "cure" him of being gay, which they perceived as possession by the Devil. After three days, M.'s sister helped him escape. M. hid at a friend's house and contacted a childhood friend who now lives in Chicago to help him purchase a plane ticket to the U.S. M. entered the United States on December 5, 2019 at O'Hare. After arriving, his friend in Chicago took M. to Howard Brown for medical services, and M. tested positive for HIV. USCIS must receive M.'s asylum application by December 4, 2020. All affidavits and supporting materials in M.'s case should be filed at least a week prior to his interview at the asylum office, which will likely occur 4-6 weeks after filing.

## **Asylum: Based on Domestic and Gender Violence**

*Although many adjudicators have historically believed that the case law regarding domestic violence and gender violence-based asylum claims was unclear, these claims have a strong legal foundation, particularly in the Seventh Circuit, even after an Attorney General decision attempted to undermine them. NIJC has been involved in federal litigation regarding gender-*

*based asylum claims and attorneys who handle these cases will have access to a wealth of resources that will help them prepare strong cases for their clients.*

***6. S. is a woman from Guatemala. Her son, P., is a derivative on her application for asylum and is also independently eligible for asylum. S. and P. speak Spanish and live in Chicago, IL. (19-0133929) (19-0133931)***

S.'s husband abused her physically and emotionally for years in Guatemala. On multiple occasions, S.'s husband tried to kill her while he was beating her. S. tried to leave her husband in 2017, and she and P. moved in with a friend. Only a few months later, S.'s husband entered the home where S. was living and attacked her. He continued to threaten S. whenever he saw her in town, once firing a gun into the air to scare her. When P. tried to defend S., his father pointed a gun at him and threatened his life. S. reported her husband's threats to the police, but he was only detained for a week and then released back into the community. S. learned that her husband hired someone to kill her after he was released from jail. S. fled to the United States with P. in 2018. Although S. and P. were issued Notices to Appear (NTAs) when they entered the United States, the Department of Homeland Security (DHS) has not yet filed their NTAs with the immigration court. Unless and until their NTAs are filed with the immigration court, USCIS retains jurisdiction over their applications for asylum. NIJC will timely file S. and P.'s applications for asylum with USCIS in February 2020. All affidavits and supporting materials to her case will be due one week prior to her interview at the asylum office, which will likely occur 4-6 weeks after the date of filing.

***7. M. is a woman from the Democratic Republic of Congo. USCIS must receive her application for asylum by August 3, 2020. M. speaks Swahili and intermediate French and lives in Chicago, IL. (19-0137944)***

When M. was a teenager, a tank operated by military personnel hit M. and her sister, resulting in the amputation of both of M.'s legs. Soldiers threatened M.'s parents after the accident, warning them not to report the incident to local police. Due to these threats, M.'s parents sent her to live with her brother in another town. M. was not able to attend school due to her disability and was very isolated. When M. was a young adult, a soldier stationed in the area raped M. on multiple occasions while she was home alone. The soldier beat M. when she tried to resist, and picked her up off her wheelchair and placed her on the floor so she would be unable to get away. The soldier told M. that he would kill her and her family if she told anyone what he had done. Years later, M. disclosed information about the rapes to her brother, once the soldier was stationed in another area. In 2019, an NGO arranged for M. to travel to the United States to be fitted with prosthetic legs. While in the United States, M.'s brother contacted her and told her that the soldier who raped her had once again been stationed near their shared home. The soldier went to M.'s brother's home looking for her, and then threatened to kill M. and her family when M.'s brother told him to leave the family alone. M.'s family now lives in fear of this soldier, and M. believes that he will rape and murder her if she returns to her country. USCIS must receive M.'s skeletal application for asylum by August 3, 2020. All affidavits and supporting materials to her case will be due one week prior to her interview at the asylum office, which will likely occur 4-6 weeks after the date of filing.

**8. G. is a woman from Mexico. Her merits hearing is on March 16, 2021. G. speaks Spanish and lives in Chicago, IL. (16-0109893)**

G.'s ex-partner abused her and a criminal organization forced G. to pay a tax on her clothing store. When the organization's leader was arrested, the new leader doubled the tax and G. was unable to pay. The organization visited G.'s store three times. First, they told her the new rules. The second time they tried to rob her. The third time they threatened her life. They said they would kidnap or kill her if she did not pay the tax. The same organization murdered G.'s brother-in-law for not paying the tax and said the same would happen to G. if she did not pay. G. tried to report the extortion and threats to her mayor, but the mayor said he could not protect her. G. fled to the United States with three of her four children, who are all U.S. citizens. After she left, the organization went looking for G. and beat up her brother, causing her oldest child to flee to the United States as well. NIJC timely filed G.'s asylum application with the immigration court. Her attorneys will have to prepare G.'s affidavit and other supporting documents before her merits hearing in 2021. G. has a 2004 firearms conviction that will not bar her from asylum, but will need to be addressed for purposes of the judge's discretionary decision.

**9. S. is a woman from Swaziland. Her daughter and son, T. and C., are derivatives on her application for asylum, and they are also independently eligible for asylum. Their merits hearing is on June 16, 2021. S., T., and C. speak English and live in Chicago, IL. (15-0099771) (15-0099890) (15-0099891)**

S.'s husband began to abuse her in 2006, after he demanded that she live with his parents and she refused. S.'s husband and his parents insulted her, told her she had to do what they demanded because they paid a dowry for her, and her husband slapped her in the face multiple times. After this incident, S.'s husband began to abuse S. constantly and often called her a prostitute and accused her of sleeping with other men. He also frequently sexually abused her. S.'s husband beat their daughter and said he was teaching her how to be a good wife. In 2012, S. decided to cancel her husband's access to her bank account because his reckless spending was leaving her with no money to support her family. When her husband found out what she had done, he attacked her with a machete in the street, but S. managed to escape after a passerby helped her. After this incident, S.'s husband took their children and placed them in the care of his parents. He forbid S. from having any access to them and told her he would kill her if she ever saw their kids again. S. tried filing for divorce, but the court magistrate told her that she should return to her husband and denied her request. In May 2015, S. picked her children up from school and fled with them to the United States. NIJC timely filed S.'s asylum application with the immigration court. In order to preserve all possible forms of relief for S.'s children, her *pro bono* attorneys should plan to file independent applications for asylum for T. and C. with the immigration court prior to the merits hearing. All affidavits and supporting materials will be due 15 days prior to S.'s merits hearing in 2021.

**10. R. is a woman from Guatemala. Her two children, G. and T., are derivatives on her application for asylum, and they are also independently eligible for asylum. Their merits hearing is on July 21, 2022. R. speaks Chuj and Spanish and lives in Southern Indiana. (17-0121318) (17-0121553) (17-0121552)**

R. married her husband when she was around 14 years old. Shortly after their marriage, R.'s husband began abusing her. He and his mother insulted her, threatened her, and beat her. Her husband controlled her and tried to force her to miscarry. When R.'s husband went to the United States, his mother continued to physically abuse R. until R. moved out of the house. During this time, R.'s father-in-law attempted to rape her and R. learned that her son has serious heart problems. R.'s husband was deported back to Guatemala, where he continued to beat her, attempted to kill her, and tried to kidnap her daughter. When R. tried to escape his abuse, he threatened her life, and R.'s family and community did not support her in leaving her marriage. Fearing for her life, R. fled to the United States. NIJC timely filed R.'s application for asylum with the immigration court. In order to preserve all possible forms of relief for R.'s children, her *pro bono* attorneys should plan to file independent applications for asylum for G. and T. with the immigration court prior to the merits hearing. All affidavits and supporting materials for R.'s case will be due prior to her merits hearing in 2022.

***11. N. is a woman from Guatemala. N.'s daughter, F., is a derivative on her application for asylum and is also independently eligible for asylum. N.'s merits hearing is on August 29, 2022. N. and F. speak Kanjobal and live in Chicago. NIJC will assist her attorneys in identifying an interpreter. (18-0129734) (18-0130545)***

After N. married her husband, she moved in with his family and was frequently left alone with them for long periods of time while he was away for work. The family insulted N., and frequently prevented her from leaving the house. In 2015 while N. was alone in the home, her brother-in-law broke in and raped her. Afterwards, he told her that he would kill her and her family if she reported him to the police. Initially, N. kept the rape a secret, fearing repercussions from her brother-in-law and the possibility that local authorities might not listen to or believe her because she only spoke an indigenous language. N. became depressed and increasingly fearful of her husband's family. When she finally disclosed the rape to her husband, he assisted her in reporting the crime to the police. However, the police did not punish N.'s rapist or offer her any protection, even though N.'s brother-in-law continued to make threats against N. and her family to other members of the community. Fearing for her life, N. fled to the United States with F. in 2017. NIJC filed N. and F.'s applications for asylum with the immigration court more than one year after they entered the United States. N.'s *pro bono* attorneys will need to and argue that she merit an exception to the one-year filing deadline. NIJC will assist them in making that argument. All affidavits and supporting documents to N.'s case will be due 15 days prior to her merits hearing in 2022.

***12. Q. is a woman from Honduras. Her son, Y., is a derivative on her application for asylum, and is also independently eligible for asylum. Q. and Y.'s merits hearing is on November 9, 2022. Q. and Y. speak Spanish and live in Northcentral Indiana. (18-0129057) (18-0129269)***

Q.'s father physically abused Q. and her mother during Q.'s childhood. When Q. was 14 years old, she met a partner, D., who was eight years older than she was. She moved in with his family and soon after, D. began abusing Q. physically, sexually, psychologically and verbally. D.'s family also abused Q. and treated her like a servant. Q. became pregnant at 16. One of D.'s family members also repeatedly sexually molested Q., but she did not report it for fear D. would

retaliate against her. After Q.'s son, Y., was born, D.'s family threatened to take Y. from her if she ever tried to leave. Before fleeing to the United States, Q. tried to escape with Y. but D.'s family threatened to take Y. and told Q. she would eventually have to return because she is D.'s woman and her place is in their house. Fearing she would never be safe from D. or his family if she stayed, Q. fled Honduras and entered the United States in April 2018. NIJC timely filed Q.'s skeletal application for asylum with the immigration court. In order to preserve all possible forms of relief for Q.'s son, her *pro bono* attorneys should plan to file an independent application for asylum for Y. with the immigration court prior to the merits hearing. All affidavits and supporting materials to their case will be due 15 days prior to her merits hearing in 2022.

***13. T. is a man from Nigeria. His wife N. and their four children E., I., B. and V. are all derivatives on his application for asylum, and they are all also independently eligible for asylum. The family's merits hearing is on November 29, 2022. T. and his family speak English and live in a northern suburb of Chicago, IL. (18-0131297) (18-0131299) (18-0131301) (18-0131302) (18-0131303) (18-0131305)***

After the birth of T. and N.'s first daughter, E., T.'s family was adamant that E. be circumcised. T.'s family repeatedly contacted T. and N., demanding that they allow E. to be circumcised. When the couple's second daughter, B., was born, T.'s family became even more insistent that the couple allow both daughters to be circumcised. T.'s family arrived at his home on multiple occasions and attacked N. and N.'s father. N.'s father died in the weeks following one attack. T. traveled to the United States in May 2017, planning to only stay for a few weeks, after his family promised not to target his wife and daughters while he was gone. But soon after he arrived, he learned that his family members had broken into his home and attacked his wife, requiring her hospitalization. After he was told that his family would kill him if he came back, T. began making preparations for his wife and children to flee to the United States to be with him and then eventually entered the United States in September 2017. T. filed a timely, *pro se* application for asylum with USCIS in 2018. After attending an interview at the Asylum Office, USCIS declined to make a decision in T.'s case and referred his case to the Immigration Court for further review. In order to preserve all possible forms of relief for T.'s wife and children, their *pro bono* attorneys should plan to file independent applications for asylum for N., E., I., B., and V. with the immigration court prior to the merits hearing. All affidavits and supporting materials to the family's case will be due 15 days prior to their merits hearing in 2022.

***14. P. is a woman from Honduras. Her children A., J., and E. are included as derivatives on her application for asylum, and are each independently eligible for asylum. P.'s merits hearing is on January 17, 2023. P. and her children speak Spanish and live in Southcentral Wisconsin. (18-0128597) (18-0128605)***

P. grew up in a poor family in rural Honduras, where she was unable to attend school because she had to work to help support her family. When she was around 14 years old, she entered a relationship with a much older man, T., in order to be able to leave her home and alleviate the burden on her mother. Soon after entering the relationship, P. learned that T. was an alcoholic and a drug addict. After the birth of their children, P. told T. that his behavior was not good for the babies. T. became very angry and started to beat P. He often verbally abused her and choked her with his belt, calling her stupid and threatening to kill her if she ever tried to leave him. While she was pregnant with their third child, T. hit her multiple times on the stomach, and P.



ran away in order to protect the baby. T. followed P. and the children to their new home and tried to break in on multiple occasions by breaking down the door. One of these times, P. reported him to the police for property damage because she believed that would get the police to respond even if the abuse would not. The police arrested T, but quickly released him. After T. continued to threaten her, and P. saw that the police were unwilling to protect her, she fled to the United States. NIJC timely filed P.'s application for asylum with the immigration court. In order to preserve all possible forms of relief for P.'s daughter, her *pro bono* attorneys should plan to file an independent application for asylum for E. with the immigration court prior to the merits hearing. All affidavits and supporting materials will be due 15 days prior to her merits hearing in 2023. Because A. and J. are unaccompanied children, USCIS has initial jurisdiction over their asylum applications. NIJC timely filed A.'s and J.'s applications for asylum with USCIS in 2019. All affidavits and supporting materials for their cases will be due one week prior to their interview at the asylum office, which will likely occur 4-6 weeks after filing.

***15. K. is a woman from Honduras. K.'s daughter, M., is independently eligible for asylum. K.'s merits hearing is on June 6, 2023. M. entered the United States as an Unaccompanied Immigrant Child (UIC) and her Notice to Appear has not yet been filed with the immigration court. K. and M. speak Spanish and live in Chicago, IL. (19-0134872) (19-0134871)***

K.'s former partner, D., threatened and abused her for many years. Afraid to leave him even though she had tried to end the relationship, K. continued living with D. while pursuing a new relationship. K.'s new partner was also abusive, and he threatened to kill K. if she did not move out of the house she shared with D. and their daughter, M. K.'s new partner began to beat her, and on one occasion, he put a knife to her throat. Fearing further abuse, K. fled to the United States in 2012 and left her daughter M. in D.'s care. After K. left, D. began to physically and sexually abuse M. He beat, raped, threatened, and tried to kidnap M. Fearing for her life, M. fled to the United States, as well. Although the Department of Homeland Security (DHS) issued M. a Notice to Appear (NTA) when she entered the United States, DHS has not yet filed the NTA with the immigration court. Unless and until DHS files her NTA with the court, USCIS retains jurisdiction over her application for asylum. NIJC timely filed M.'s application for asylum with USCIS in January 2020. Although K. was apprehended by immigration in 2012 and passed a credible fear interview at that time, her NTA was not filed with the immigration court until 2018. NIJC filed K.'s application for asylum with the Immigration Court. Because this application was filed more than one year after K. entered the United States, her *pro bono* attorneys will need to argue that K. merits an exception to the one-year filing deadline for asylum. NIJC will assist them in making this argument and K. is otherwise eligible for withholding of removal and Convention Against Torture relief. All affidavits and supporting materials to K.'s case will be due 15 days prior to her merits hearing in 2023.

***16. D. is a woman from Mongolia. Her husband, J., is a derivative on her application for asylum. She speaks Mongolian and lives in Chicago, Illinois. NIJC will assist her attorneys in identifying an interpreter. (17-0116073)***

D. grew up in the Mongolian countryside and moved to the capital, Ulaanbaatar, to attend university in 2009. Shortly after she moved, she became romantically involved with her

neighbor, E. The couple moved in together and D. soon became financially dependent upon E. About five months after the couple moved in together, E. began to abuse D. verbally and physically. He tried to control her behavior, demanded she do what he told her, and kicked and beat her. In 2013, when D.'s brother witnessed E. punching D. in the face, he was able to get the police to come to the house and arrest E., something that D. believes was only possible because her brother was a man. D. had attempted to seek help from the police on her own in the past, but had never been able to get protection. E. was detained for a few days, but then released. In 2014, D. told a coworker about the abuse and was urged to flee to the United States in order to escape the relationship. D. surreptitiously applied for a visa, which was granted, and entered the United States in 2016 without telling E. Later, D. called E. to tell him where she was after she heard that he had been threatening her friends and family trying to find her. When they spoke on the phone, E. threatened to harm her if she ever returned to Mongolia. NIJC timely filed D.'s application for asylum in May 2017. Affidavits and other supporting documents will be due one week prior to her interview at the asylum office. The interview timeline for applications filed before 2018 is uncertain. Please review the asylum office scheduling update at <http://immigrantjustice.org/policy/blog> for more information.

***17. K. and L. are siblings from El Salvador. Because they are unaccompanied children, USCIS has initial jurisdiction over their asylum application. K. and L. speak Spanish and live in central Indiana. (17-0119846) (17-0119852)***

K.'s father came to the United States to work when she was two years old. K.'s father subsequently started a new family and abandoned K. and her mother. L.'s father is in El Salvador and does not support L financially or otherwise. In 2012, K. and L.'s mother came to the United States leaving K. and L. with a maternal aunt. Shortly after her mother left to the United States, members of the Mara 18 gang started sexually harassing K. and telling her to be with them. K. refused to be a gang girlfriend and the gang soon began threatening her and her entire family. During one incident, a gang member tried to molest her at knifepoint. Fearing for her life, K. fled to the United States with her very young brother L. in May 2013. Although K. and L. were issued a Notice to Appear (NTA), the Department of Homeland Security (DHS) has not filed the NTA with the immigration court. NIJC filed K. and L.'s skeletal applications for asylum with USCIS. Although K. and L. missed their one-year filing deadline, they qualify for an exception to the deadline, and NIJC will assist them in making that argument. K. and L.'s affidavits and supporting documents will be due one week prior to their interview at the asylum office. The interview timeline for their case is uncertain. Please review the asylum office scheduling update at <http://immigrantjustice.org/policy/blog> for more information.

## **Asylum: Based on Political Opinion or Opposition to Criminal Organizations**

*Political opinion-based asylum claims represent the stereotypical asylum case and are often more straight-forward than other types of asylum cases. Asylum claims based on opposition to cartel or gang violence may involve a political opinion-based claim, but are typically based on the protected ground "membership in a particular social group" as well. These claims offer an opportunity to navigate a nuanced and rapidly evolving area of asylum law. NIJC has successfully represented men, women, and children from Central America and Mexico who fear cartel and*

*gang violence and has the resources to help pro bono attorneys prepare strong cases for these asylum seekers.*

***18. V. is a woman from Honduras. Her daughter, F., and son, K. are derivatives on V.'s application for asylum and are also independently eligible for asylum. Their next master calendar hearing is on February 24, 2020. V., F., and K. speak Spanish and live in Chicago, IL. (19-0139523) (20-0140217) (20-0140218)***

Growing up, V.'s father physically abused V., her siblings, and her mother. V. entered a relationship with her former partner, A., when she was around 18 years old. For about the next 12 years, they had an on-and-off relationship and had two children. About six years after they began their relationship, V. began to suspect that A. was a member of the Mara Salvatrucha (MS-13) gang. In 2014, A. was accused of murder and drug trafficking, but was ultimately only charged with drug-trafficking and sentenced to jail time. After his release from jail the following year, A. moved in with V. and their two children and became physically abusive towards them. In about 2018, A. disappeared. Shortly afterwards, other MS-13 members began intimidating V. and asking about A.'s whereabouts. After she repeatedly told them she did not know, several MS-13 members came to her house and threatened that if A. did not show up in the next 48 hours, they would make V. and her kids pay. Fearing for her life, V. fled to the United States with F. and K. in 2018. V. filed a timely, *pro se* application for asylum with the immigration court in August 2019. V.'s *pro bono* attorneys will need to supplement her asylum application with an affidavit and other supporting documents prior to the individual merits hearing. All affidavits and supporting materials to V., F., and K.'s case will be due 15 days prior to their merits hearing, which has not yet been scheduled.

***19. E. is a woman from Mexico who is seeking asylum with her mother, O., her adult daughter, J., and J.'s son, H., who will be a derivative on J.'s application. J.'s next Master Calendar Hearing is on March 23, 2020. E.'s next Master Calendar Hearing is on July 09, 2020. O.'s next Master Calendar Hearing is on February 26, 2020. E., O., J., and H. speak Spanish and live in Chicago. (19-0132005)(19-0132459)(19-0132536)(19-0132566)***

Members of a cartel murdered E.'s brother while he was with E.'s son S. During the wake for E.'s brother, cartel members stormed into O.'s house and opened fire on the crowd gathered to pay their respects. The cartel members killed E.'s son and O.'s partner, along with several others. E.'s daughter, J., recognized three of the shooters. J. collaborated with local law enforcement officers to identify the shooters. While J. reported the crime, cartel members invaded her home and opened fire. Fearing for their lives, E., O, J., and H. fled to a nearby state. After they fled, cartel members stalked J. and threatened to kill her and her entire family if she did not stop the investigation. In early 2018, local officials warned J. that they could not protect her or her family. They advised E., J., O., and H. to flee the country to avoid being killed by the cartel members. NIJC timely filed E., O., J. and H.'s applications for asylum. All affidavits and supporting documentation to E. and J.'s cases will be due 15 days prior to their merits hearing, which has not yet been scheduled.

***20. F. is a woman from Mexico. Her daughters, E. and S., will be derivatives on her application for asylum, and are also independently eligible for asylum. Their next***

***master calendar hearing is March 18, 2020. F., E., and S. speak Spanish and live in Chicago, IL. (19-0140079) (20-0140122) (20-0140123)***

F. and her brother owned a tortilla shop in Mexico. Members of La Familia Michoacana, a Mexican drug cartel, began to extort the tortilla shop by threatening F.'s brother. F.'s brother paid the extortion fees to the cartel for a short period, but eventually he became unable to continue paying. The cartel then threatened to kill F., her brother, and her children if any of them reported the extortion to the police. Soon after F.'s brother stopped paying the cartel, F. found his dead body in his home. After her brother's murder, F. reported the threats to the police, but they did not investigate and F. was unable to obtain protection for herself and her children. Cartel members then began threatening and extorting F. at the tortilla shop. When F. learned that cartel members had gone to her home to search for her and her children, she fled to the United States with E. and S. NIJC will timely file F., E., and S.'s applications for asylum with the immigration court. All affidavits and supporting materials to their case will likely be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

***21. M. is a woman from Cuba. M. speaks Spanish and lives in Chicago, IL. (19-0135829)***

M. openly opposed the Castro regime in Cuba, despite the fact that her father worked for the government and had participated in the communist revolution there. Police patrolled her home for multiple days at a time, and would frequently confront her and accuse her of plotting against the government. On one occasion, they attempted to force M. to register as a member of the youth wing of the national communist party, and when she refused, a complaint was filed against her and she was fired from her job. M. then started her own small business, but police would frequently confront her and accuse the business of being illegal. M. was arrested and detained multiple times with no explanation, and police opened an investigation into her anti-communist political opinion. Around the same time, M.'s father told her that she was an embarrassment to him for not supporting Castro and that he preferred that she be jailed in order to 'fix' her political beliefs. When a police officer confiscated materials out of her store and refused to return them, M. reported the police officer to his superiors. The police officer then threatened M. and tried to force her to withdraw the complaint. Fearing further attacks from the police, M. fled to the United States in 2019. Although M. was issued a Notice to Appear (NTA) by the Department of Homeland Security (DHS) when she entered the United States, her NTA has not yet been filed with the Immigration Court. Unless and until her NTA is filed, USCIS has initial jurisdiction over her application for asylum. USCIS must receive M.'s skeletal application for asylum by April 11, 2020. All affidavits and supporting materials to M.'s case will be due one week prior to her interview at the asylum office, which will likely occur 4-6 weeks after the date of filing, unless her NTA is filed with the immigration court.

***22. R. is a man from Mexico. His wife, L., and his daughter, B., will be derivatives on his application for asylum, and are also independently eligible for asylum. M. and his family speak Spanish and live in Chicago, IL. (19-0138307) (19-0138308) (19-0138311)***

R. and his family lived in a rural community in central Mexico. In early 2019, members of the La Familia Michoacana, a Mexican drug cartel, shut down the electricity in R.'s village and sent

messages to the residents informing them that the area was now under the control of the cartel. Cartel members started arriving at R.'s home and forcibly taking food and supplies from his family. Shortly after, members of the cartel began approaching R. and asking him to work for them. R. refused the requests of the cartel each time. Shortly after, cartel members attempted to kidnap L. and B. while they were on their way to B.'s school. Fearing further attacks from the cartel, R. and his family fled to the United States. Although R. and his family were issued Notices to Appear (NTAs) when they entered the United States, the Department of Homeland Security (DHS) has not yet filed their NTAs with the immigration court. Unless and until their NTAs are filed with the immigration court, USCIS retains initial jurisdiction over their applications for asylum. USCIS must receive R. and L.'s skeletal applications for asylum by May 2, 2020. If their NTAs are filed with the immigration court, their *pro bono* attorneys should plan to file an independent application for B. with the immigration court prior to the merits hearing in order to preserve all possible forms of relief. All affidavits and supporting materials for R.'s case will be due one week prior to their asylum interview, which will likely occur about 4-6 weeks after filing, unless their NTAs are filed with the immigration court.

***23. O. is a woman from Guatemala. Her son, I., will be a derivative on her application for asylum, and is also independently eligible for asylum. O. and I. speak Spanish and live in Chicago, IL. (19-0139797) (19-0139798)***

O. owned a small gas station in Guatemala. In early 2019, gang members began calling O. and extorting her business. When O. refused to pay the extortion fees, gang members threatened to kill O. and her son, I. O. stopped sending I. to school out of fear that he would be killed by the gang in the street. O. reported the threats to the Guatemalan police, but she was unable to obtain protection from the gang, and she continued receiving phone calls threatening her life. O. stopped going to work in order to avoid the threats, but the gang continued to contact her and threaten to kill her and her son. Fearing for her and her son's life, O. fled to the United States with I. in 2019. After leaving Guatemala, gang members sent another death threat to O.'s gas station. Although O. and I. were issued Notices to Appear (NTAs) by the Department of Homeland Security (DHS) when they entered the United States, their NTAs have not yet been filed with the Immigration Court. Unless and until their NTAs are filed with the immigration court, USCIS retains initial jurisdiction over their applications for asylum. USCIS must receive O.'s skeletal application for asylum by May 8, 2020. All affidavits and supporting materials will be due one week prior to their asylum interview, which will likely occur 4-6 weeks after filing, unless their NTAs are filed with the immigration court.

***24. R. and L. are a husband and wife from Honduras. Their children, P. and T., will be derivatives on their applications for asylum and they are also independently eligible for asylum. R., L., P., and T. speak Spanish and live in Chicago, IL. (19-0138764) (19-0138767) (19-0139752) (19-0139755)***

R. owned a dental practice in Honduras and L. worked as a teacher. In early 2019, members of the Mara 18 (M18) gang started extorting L. and one of her sons, and threatening to kill them if they did not pay. When L. refused the gang's demands, gang members began threatening R. and threatening to kill the entire family if they continued to refuse to pay extortion fees to the gang. R. reported the threats to the police in Honduras, but the police did not investigate and the family was unable to obtain protection from the gang. Fearing for their lives, R., L., their two daughters

fled to the United States in 2019. L.'s is currently in Honduras, living in hiding from the gang. Although R., L., P., and T. were each issued a Notice to Appear (NTA) by the Department of Homeland Security (DHS) when they entered the United States, their NTAs have not yet been filed with the Immigration Court. Unless and until their NTAs are filed with the immigration court, USCIS has initial jurisdiction over their applications for asylum. USCIS must receive R. and T.'s skeletal applications for asylum by June 1, 2020. If their NTAs are filed with the immigration court, the family's *pro bono* attorneys should plan to file independent applications for asylum for P. and T. with the immigration court prior to the merits hearing in order to preserve all possible forms of relief. All affidavits and supporting materials to their case will be due one week prior to their asylum interview, which will likely occur 4-6 weeks after filing, unless their NTAs are filed with the immigration court.

***25. T. is a man from Uganda. T. speaks English and Luganda and lives in Northern Indiana. (19-0138811)***

T. worked as the secretary for a prominent member of an opposition political party in Uganda that seeks to unite Ugandans and end human rights abuses and political corruption within their country. In January 2018, military police arrested T. and other party members during a peaceful rally for their party. During his six-month detention, officials beat, tortured, and threatened T. Just a few months after his release, T. was detained again at another peaceful rally for his party. Government officials took T. to a warehouse, and tortured him there for over a month. During this time, military police went to T.'s home and killed his wife and two of his children. T. was finally able to escape, and he immediately fled Uganda. T. arrived at the United States-Mexico border in September 2019. Although T. entered the United States after July 16, 2019 and would therefore be subject to the second asylum (transit) ban, he was forced to be on a wait list at the border prior to that date and may therefore be able to argue that the ban does not apply to him. Should he be found not to meet the criteria for class membership, then he will only be eligible for withholding of removal and Convention Against Torture relief. Although T. was issued a Notice to Appear (NTA) by the Department of Homeland Security (DHS) when he entered the United States, his NTA has not yet been filed with the Immigration Court. Unless and until his NTA is filed, USCIS has initial jurisdiction over his application. USCIS must receive T.'s skeletal application by September 2, 2020. All affidavits and supporting materials to T.'s case will likely be due 15 days prior to his individual merits hearing

***26. V. is a woman from Mexico. Her children, N., C. and T. will be derivatives on her application for asylum, and are also independently eligible for asylum. V., N., C. and T. speak Spanish and live in Northcentral Indiana. (19-0137239) (19-0137260) (19-0137261) (19-0137262)***

V. was raped by M., a police officer, at age 14. M. forced V. to live with him from then on and she endured years of abuse at his hands, including forced sterilization when her last child was born. Later, M. quit the police force to join the Las Zetas cartel. M. was arrested in Mexico several years ago. M. forced V. to visit him in prison and continued to threaten and sexually abuse her in prison. V. moved several times to escape him, but M. always found her from prison and threatened to kill her if she ever tried to leave him. After several years, V. met another man, X., and began a secret relationship with him. M. discovered V.'s new relationship and X.'s identity. After threatening phone calls and messages, Las Zeta cartel members crashed into X.'s

car, threatening to kill him if he didn't leave V. After the crash, M.'s parents told V. that M. will be released from prison soon. Fearing that M. would follow through on his threats once released, V. fled to the United States with her three children. Although V. and her children were issued Notices to Appear (NTAs) when they entered the United States, the Department of Homeland Security (DHS) has not yet filed their NTAs with the immigration court. Unless and until their NTAs are filed with the immigration court, USCIS retains initial jurisdiction over their applications for asylum. NIJC timely filed V.'s asylum application with USCIS in 2019. All affidavits and supporting materials for V.'s case will be due one week prior to her asylum interview, unless her NTA is filed with the immigration court.

***27. L. is a woman from El Salvador. Her first master calendar hearing has not yet been scheduled. L. speaks Spanish and lives in Central Indiana. (19-0138522)***

L. ran a small business in El Salvador in a market controlled by the Mara 18 (M18) gang. Gang members began extorting L.'s business and threatened that they would harm her if she did not pay. L. told them she was unable to pay, and a few days later the gang members returned and physically assaulted her for refusing to pay. L. avoided the market for a few weeks after that, but eventually returned because she had no other source of income. L. began paying extortion fees to the gang. When L. could no longer afford to make the extortion payments, the gang members and a Salvadoran police officer returned to her business, threatened to kill her and physically assaulted her again. L. went to a police station over an hour away from her business and reported the extortion and beating. The police officer refused to take an official report. When L. returned to the market, the gang members were waiting for her and shot at her, yelling that they knew she tried to report them to the police. L. managed to escape the gang members and lived in hiding at a friend's house for a short time until she fled to the United States in 2019. NIJC timely filed L.'s asylum application, but her first hearing has not yet been scheduled. All affidavits and supporting materials for L.'s case will be due 15 days prior to her merits hearing, which has not yet been scheduled.

***28. K. is a young woman from Honduras. Her first non-detained Master Calendar hearing has not yet been scheduled. She speaks Spanish and lives in Chicago, IL. (18-0128269)***

Gang members assaulted and threatened K. in Honduras. Some of the threats from the gang members were sexual in nature. K.'s brother also resisted gang recruitment, leading to increased threats to K.'s brother, K., and their family members. Separately, K.'s mother was in an abusive relationship in Honduras, and her partner also severely emotionally abused K. Fearing for her life, K. fled to the United States and was designated as an unaccompanied immigrant child. NIJC timely filed her application for asylum with USCIS in April 2019. Her affidavit and supporting documents will be one week prior to her asylum office interview. The timing of this interview is uncertain. Please review the asylum office scheduling update at <http://immigrantjustice.org/policy/blog> for more information.

***29. J. is a young man from Nicaragua. J.'s next Master Calendar hearing is on March 9, 2021. J. speaks Spanish and lives in Indianapolis, IN. (19-0132999)***

J. and his family actively oppose the Sandinista government. J.'s family members participated in several anti-Ortega protests in Nicaragua in 2018. After J.'s uncle participated in one protest, the police threatened to kill him if he participated in another. Fearing for his life, he fled to another part of Nicaragua with his wife and children. Soon after, the police arrested another of J.'s uncles because of his anti-Ortega opinion. Afraid of retaliation for expressing their political opinions, the rest of J.'s family has since stopped protesting. J. fears that, if forced to return to Nicaragua, he would be associated with his anti-Ortega family members and arrested or killed. NIJC filed J.'s asylum application with the immigration court. Because J.'s application for asylum was filed more than one year after he entered the United States, his *pro bono* attorneys will have to argue that he merits an exception to the one-year filing deadline for asylum eligibility, primarily related to the changed in conditions in Nicaragua. NIJC will assist J.'s attorneys in making this argument. All affidavits and supporting materials for J.'s case will be due 15 days prior to his merits hearing, which has not yet been scheduled.

***30. A. is a young man from Guatemala. A.'s merits hearing is on June 3, 2021. A. speaks Spanish and lives in a northwest suburb of Chicago, IL. (17-0121636)***

A.'s father was an alcoholic and regularly beat A. and his siblings. At 10 years old, A. began working in the capital of Guatemala selling goods to help support his family, leaving home for three to four months at a time. When A. was 13 years old, another vendor began beating and threatening him. The vendor often referenced A.'s indigenous ethnicity while targeting him. A. attempted to get help from police officers on multiple occasions, but because A. only spoke Mam, an indigenous language, he could not communicate with the officers. Fearing for his safety, A. fled to the United States in December 2015. NIJC filed A.'s asylum application in November 2018, after his one-year filing deadline for asylum, but NIJC will assist A.'s attorneys in arguing that he meets an exception to the deadline. All affidavits and supporting materials to A.'s case will be due 15 days prior to his merits hearing in 2021.

***31. K. is a young man from Vietnam. K.'s merits hearing is on July 21, 2021. K. speaks Vietnamese and lives in a suburb of Milwaukee, Wisconsin. (18-0125360)***

In 2017, K attended a protest denouncing a Chinese steel company for a toxic waste spill at their factory in Vietnam that damaged local marine life. Police arrived and began to violently quash the protest. Police assaulted and detained K. along with many other protestors. Officers then interrogated K. and threatened to detain him indefinitely. During his detention and interrogation, the police officers beat and threatened K. stating that they would indefinitely detain him. The police officers released K., but he was later summoned to appear for further interrogation. K. did not attend this interrogation out of fear for his safety, and instead fled to the United States to seek asylum. NIJC timely filed K.'s application for asylum with the Chicago Immigration Court. All affidavits and supporting documents for K.'s case will be due 15 days prior to his merits hearing in 2021.

***32. L. is a man from Mexico. His merits hearing is August 8, 2021. L. speaks Spanish and lives in Chicago, IL. (17-0116219)***

L. first entered the United States in around 1995, returned to Mexico, and then came back to the



United States in about 1999. In about 2013, while L. was in the United States, the Zetas cartel shop because she could not pay, they murdered her husband. Soon after, L.'s son Y. was deported from the United States and after he arrived back in Mexico, the Zetas began to extort and threaten him. When Y. did not pay, they murdered him. After Y.'s murder, the cartel also threatened L.'s sister and daughter, promising to kill them if they reported them to the police. In late 2016, L. returned to Mexico to visit his dying mother and the Zetas quickly learned he was there. They began asking and threatening his daughter about him; L. believes they wanted to extort him since he had been in the United States and believed he might want revenge for their murder of Y. In early 2017, shortly after his mother's funeral, his sister saw one of the Zetas' cars near their house and told L. to flee. After he escaped, the Zetas asked his sister about his location. L. immediately fled to the United States, entering on January 22, 2017. Soon after L. fled Mexico, the Zetas found L.'s brother in the street, demanded to know L.'s location, and beat him when he did not know. L.'s has several DUI convictions from the early 2000s, but none since then. These convictions do not bar L. from receiving asylum, but will need to be addressed for purposes of the judge's discretionary decision. NIJC timely filed L.'s application for asylum with the immigration court. L.'s affidavit and other supporting documents will be due 15 days prior to his merits hearing in 2021.

***33. B. and T. are a husband and wife from Mexico. Their children, A. and E., are derivatives on their applications, and are also independently eligible for asylum. Their merits hearing is on October 26, 2021. B., T., A., and E. speak Spanish and live a western suburb of Chicago, IL. (17-0115637) (17-0115363) (17-0115635) (17-0115638)***

B. was friends with a municipal police officer, G., who became corrupt. When B. and T.'s son A. was in junior high, G. found A. in school and threatened to harm him if he did not sell drugs for a cartel. A. began staying home from school, but soon after, B. and T. received threatening calls insisting that A. sell drugs. G. and several other officers showed up and B.'s business, demanding A.'s participation. B. begged G. to negotiate with his commander and the officers left, taking several kilos of silver from B.'s silver shop as a bribe. The threatening calls continued, referencing the family's whereabouts, threatening A.'s life, and demanding money for his safety. The officers again found B. at the family's home and demanded a large sum of money. One officer hit B. when he said he could not pay. B. begged G. for time to sell his car and get them the money and G. agreed, but threatened to kill B. and his family if they did not get the payment. B. sold his car and used the money to flee with his family. Soon after they left, B.'s cousin was murdered and T.'s brother's house was burglarized. NIJC timely filed B. and T.'s skeletal applications for asylum with the immigration court. In order to preserve all possible forms of relief for B. and T.'s children, their *pro bono* attorneys should plan to file independent applications for asylum for A. and E. with the immigration court prior to the merits hearing. All affidavits and supporting materials to their case will be due 15 days prior to their merits hearing.

***34. B. is a woman from Mexico. Her two sons, S. and A., are derivatives on her asylum application, and are also independently eligible for asylum. Their merits hearing is on April 12, 2022. L. is B.'s young grandson. Because he was designated an unaccompanied immigrant child, USCIS has initial jurisdiction over his asylum application, even though he is in removal proceedings. L.'s next Master Calendar***

***Hearing is on May 18, 2020. M. is B.'s oldest son. Because he entered separately from his family and is not in removal proceedings, USCIS has initial jurisdiction over his asylum application. B., her sons, and grandson speak Spanish and live in central Wisconsin. (18-0128550) (18-0128674) (18-0128678) (18-0129157)***

The fathers of all of B.'s five children were physically and verbally abusive, and by the time she was an adult she was forced to relocate to a different part of Mexico in order to get away from them, even though it meant raising all of her children on her own. She also cared for her grandson L., who thought of his uncles – B.'s teenage sons – as his brothers. In about 2014, when B.'s oldest son, M., turned 17, cartel members forcibly recruited him to work for them. M. resisted, and the cartel members so brutally assaulted him they thought they had killed him. Shortly after, M. fled to the United States to escape the cartel. When B.'s son S. turned 17 in late 2017, he faced the same fate as his older brother and began to be forcibly recruited to work for the cartel. They told S. that they would kill his mother if he refused to work for them. When S. refused to work for them, cartel members would break into their home and grab him in front of B. and the rest of his family. L. would hide under the bed and shut his eyes as he heard his uncles scream. Fearing for S.'s life, B. decided to flee to the United States with S., A., and L., but because L. was B.'s grandson and not her biological child, he was separated from her at the border. NIJC timely filed B.'s application for asylum with the immigration court. All affidavits and supporting materials to her case will be due 15 days prior to her merits hearing in 2022. Although L.'s case is based on the same facts, his asylum application must be filed first with USCIS and NIJC has timely filed his skeletal application for asylum. Because M.'s one-year deadline to apply for asylum has passed, USCIS must receive his skeletal application for asylum as soon as possible. All affidavits and supporting documents to L. and M.'s cases will be due one week prior to their interviews at the asylum office. The interview timeline for his interview is uncertain, but may occur within 4 to 6 weeks of filing.

***35. L. is a man from Guatemala. L.'s merits hearing is on April 26, 2022. L. speaks Spanish and lives in Bloomington, IL. (14-0088061)***

When L. was about 14 years old, the M-18 gang began to forcibly recruit him. They threatened to kill his family if he did not join them and beat him when he refused to comply with their demands. For several years, the M-18 gang waited for him outside of his school and, on occasion, beat him so severely he fell unconscious. L. repeatedly told the gang he would not join them, but they continued to threaten and assault him. In August 2013, a gang member saw N. on the street and tried to hit him. His companion told him to stop, but the next day, the gang member went to N.'s home, flashed his gun, and told N. to leave by morning or he would kill him. L. left Guatemala immediately and entered the United States on about August 5, 2013. He was apprehended by immigration officers and released from custody after he passed a credible fear interview. NIJC timely filed L.'s asylum application with the immigration court. All affidavits and supporting materials to L.'s case will be due 15 days prior to his merits hearing in 2022.

***36. Z. is a man from Republic of Congo. Z.'s merits hearing is on November 21, 2022. Z. speaks French and lives in Chicago, IL. (18-0126661)***

In March 2012, there was a massive explosion at a Congolese military arms depot. Z.'s parents were among the casualties of the explosion. When the government promised to compensate the families of the victims, Z. filed the paperwork to obtain the compensation for his family, but never received the money. Z. believes that the government discriminated against him because of his ethnicity. After this experience, Z. started openly criticizing the Congolese government to his friends and coworkers. Shortly afterwards, government agents arrested and interrogated Z. They kept Z. imprisoned for three months, during which time they beat him nearly every night. A colonel who is friends with Z.'s family intervened and was able to get Z. released from prison. Z. then fled to the United States on a visa. After he fled, government agents went to Z.'s house, questioned Z.'s wife about Z.'s location, and beat her and one of their children. Z. initially applied for asylum with the asylum office, but the asylum office declined to grant his application, and referred his case to the immigration court. Z. already has substantial documentation in support of his claim. His *pro bono* attorneys will need to supplement that documentation and prepare his testimony and any other witness testimony for his merits hearing in 2022.

***37. L. is a woman from El Salvador. Her sons, F. and N., are derivatives on L.'s application for asylum, and are also independently eligible for asylum. L., F., and N.'s merits hearing is on January 30, 2023. L. and her sons speak Spanish and live in central Indiana. (18-0130104) (18-0130370) (18-0130372)***

L. and her family lived across the street from a house that the Mara Salvatrucha (MS-13) used for meetings. L. ran a small store in her home, selling pupusas, tortillas, and other goods. Gang members demanded food from D.'s store. Not wanting to support the gang, D. shut down her store. Later, gang members demanded that L.'s husband help them transport drugs and weapons in his car and threatened to kill him and his family if he ever told anyone about their activity. L.'s husband refused the gang's demands, and they threatened to kill their son F. if he did not comply. Soon after, several gang members in an automobile followed F. on his motorcycle and rear-ended him, leaving him with severe wounds. The MS-13 continued to threaten L.'s family, eventually saying that they would kill L., her husband, and her sons if they did not vacate their home. Fearing for their lives, L. and her sons fled to the United States. NIJC timely filed L., F., and N.'s applications for asylum with the Immigration Court in 2019. All affidavits and supporting materials to L.'s case will be due 15 days prior to her merits hearing in 2023.

***38. J. is a young man from Honduras. His merits hearing is February 15, 2023. J. speaks Spanish and lives in a northwest suburb of Chicago, IL. (19-0135978)***

When J. was four years old, his mother sold him to neighbors as a servant. The neighbors brutally abused J. for several years until he escaped to his mother's house. When his mother kicked him out of the house at the age of 13, J. worked a series of jobs while living with different family members. Eventually, he moved in with his sister's family and became the youngest member of a construction crew building new cells within a gang-controlled prison. Gang-affiliated prisoners immediately attempted to force J. to run drugs for them, and when J. ignored their demands, they threatened to send their associates outside the prison to kill J. and his family. As J. continued to receive threats, he also escaped a prison riot during which prisoners killed multiple police officers. Fearing for his life, J. fled Honduras in February 2018. J. timely filed his

application for asylum. All affidavits and supporting materials to J.'s case will be due 15 days prior to his merits hearing in 2023.

**39. D. is a woman from Togo. Her merits hearing is on July 17, 2023. Although she is proficient in French, she will require a Mina interpreter to prepare her affidavit. NIJC will assist her attorneys in identifying an interpreter. She lives in Chicago, IL. (18-0123400)**

D. was a member of an opposition political party in Togo and frequently participated in protests against the ruling government. In 2013, government officials set fire to the marketplace where D. worked, and blamed it on members of her political party. Shortly after, officials arrested and interrogated D., pressuring her to say that members of her party had planned the fire. D. refused, so officials detained and tortured her, along with a group of other female members of her party. At the time of her arrest, D. was pregnant and the frequent beatings caused her to miscarry the baby. Afterwards, the guards sent her to a nearby hospital, from which D. was able to escape. She continued organizing with her party in secret, but eventually she was discovered by the police and arrested. D. was tortured again, including severe strangulation. Eventually she was released to the hospital and soon after, she fled to the United States. D. filed a timely, *pro se* application for asylum with USCIS, but they referred her case to the immigration court. D.'s *pro bono* attorneys will need to supplement her original, *pro se* filing with an affidavit and other supporting documents, all of which will be due 15 days prior to D.'s merits hearing in 2023.

**40. B. is a woman from El Salvador. Her children, W. and D., are derivatives on her application for asylum, and are also independently eligible for asylum. B.'s merits hearing is on July 20, 2023. B. and her children speak Spanish and live in Central Indiana. (17-0121105) (17-0121956) (17-0121957)**

B. ran a small business along with her partner selling fruit in a market. The daughter of B.'s partner did not support the relationship and frequently tried to get her father to leave B. The daughter's boyfriend is also a Mara 18 gang member. When B.'s partner came to the United States, B. was left alone to run their business. Soon after, Mara 18 gang members took control of her home and began extorting her business. One day, the boyfriend of her partner's daughter and two other Mara 18 gang members kidnapped B. and gang raped her, taking photos to send to her partner's daughter. When B. became pregnant from the rapes, the Mara 18 members told her she had to get rid of the baby because it would cause problems for them with their girlfriends. B. denied her pregnancy but eventually could not hide it any longer and was forced to flee to the United States to avoid retaliation from the Mara 18 gang members for refusing to get an abortion. After arriving in the United States, B. missed a court date and was ordered removed in absentia. A few years later NIJC successfully reopened B.'s court case. Because B. and her children did not file their applications for asylum with the immigration court until more than one year after they entered the United States, B.'s *pro bono* attorneys will need to argue that she merits an exception to the one-year filing deadline. NIJC will assist them in making that argument. In order to preserve all possible forms of relief for B.'s children, her *pro bono* attorneys should plan to file independent applications for asylum for W. and D. with the immigration court prior to the merits hearing. All affidavits and supporting documents to B.'s case will be due 15 days prior to her merits hearing in 2023.

**41. P. is a young man from Honduras. P. speaks Spanish and lives in Milwaukee, WI. (18-0124617)**

P.'s father regularly abused him throughout his childhood, up until his father's death in 2015. After his father's death, a local gang began to heavily recruit P. Although P. refused to join the gang, the gang forced P., under threat of death, to assist them with gang activity, such as transporting drugs, serving as a lookout, and robbing others. As the threats became more serious, P. decided to flee to the United States in March 2017, fearing that they would force him to participate in worse activities or kill him if he refused. Upon his entry, he was designated as an unaccompanied immigrant child. Although P. was issued a Notice to Appear (NTA), the Department of Homeland Security (DHS) has not filed the NTA with the immigration court and P. is not yet in removal proceedings. Unless and until DHS files the NTA with the court, USCIS maintains jurisdiction over his asylum application. NIJC has filed P.'s skeletal asylum application. Although P. missed his one-year filing deadline, he qualifies for an exception to the deadline, and NIJC will assist his *pro bono* attorneys in making that argument. His affidavit and other supporting documents will be due one week prior to his interview at the asylum office. The timeline for his interview is uncertain. Please review the asylum office scheduling update at <http://immigrantjustice.org/policy/blog> for more information.

## **Special Immigrant Juvenile Status (SIJS)**

*SIJS is a form of immigration relief available to unmarried children who have suffered abuse, neglect, or abandonment by a parent or legal guardian. In order to apply for this relief, the child must first have a state court order asserting that they have suffered abuse, abandonment or neglect. In these matters, NIJC represents the child in her immigration case, and will attend all immigration court dates with the child. The pro bono attorney handles the state court matter only, representing the parent or guardian to obtain a custody or guardianship order with the special findings necessary for SIJS. NIJC will work closely with the pro bono attorney to ensure that the pleadings and orders in state court comply with the immigration requirements.*

**42. V. is a 17-year-old boy from Honduras who turns 18 in January of 2021. He speaks Spanish and lives with his mother in Chicago (Cook County). (20-0140202)**

V.'s father's name was never on V's birth certificate because his parents separated shortly before his birth. When V. was 8 years old, his parents moved back in together, and his father acknowledged V. as his son. However, before they could amend V.'s birth certificate, his father was murdered by gangs in July of 2016. Prior to his death, V.'s father would physically abuse V. by hitting him with a belt, on at least one occasion hard enough to make him bleed. After V.'s mother began receiving threats from gangs, she and V. fled to the U.S., entering on a tourist visa in March of 2019. A *pro bono* attorney will need to file a petition seeking to establish paternity and obtain an order finding that V's reunification with his father is not viable due to his death (which constitutes abandonment under Illinois law), and that it is not in V's best interest to return to Honduras. V's paternal grandparents would be willing to submit to a DNA test to help establish V's paternity.

**43. H. is a 16-year-old boy from Honduras. He speaks Spanish and lives in a northern suburb of Chicago with his mother. (Lake County) (19-0133868)**

H. has never had a relationship with his father. When H was about three, H's mother came to the United States seeking work to be able to support H. H. was raised in Honduras by his maternal grandmother. H's father never emotionally or financially supported H., and had begun a relationship with another woman even before his birth. Eventually, H.'s grandmother became unable to continue to care for him in Honduras due to her advancing age and in April 2019 he came to the United States. He was apprehended and detained in the custody of the Office of Refugee Resettlement, and was subsequently released to his mother in Illinois. A *pro bono* attorney will need to file a custody case on behalf of H.'s mother, and obtain an order finding that H's reunification with his father is not viable due to his abandonment, and that it is not in H's best interest to return to Honduras.

**44. W. is a 16-year-old boy from Honduras who speaks Spanish and lives with his mother in Waukesha County, WI. (19-0137165)**

W.'s father abandoned his mother when she was pregnant with W. and thus his name is not on W.'s birth certificate. Although W. saw his father a few times when he was very young, his father never provided him with any financial or emotional support. W.'s mother came to the U.S. in approximately 2014, leaving W. in the care of a maternal aunt. However, due to increasing violence between gangs and police, W. fled to the U.S. in 2019 to be with his mother. A *pro bono* attorney will need to file a petition seeking to establish paternity and obtain an order finding that W.'s reunification with his father is not viable due to abandonment, and that it is not in W.'s best interest to return to Honduras.

**45. M. is an 8-year-old boy from El Salvador. He speaks Spanish and lives with his mom in Newton County, IN. (17-0119852)**

M. does not remember his father and has not had a relationship with him in many years. M.'s mother fled to the U.S. in 2012 after receiving threats from gangs, leaving M. and his older sister with another family member. The next year, M.'s older sister was threatened as well, and fled to the U.S. with M., who was only 2 years old at the time. M. and his older sister, who is now an adult, live with their mother in Newton County, Indiana. M.'s father is still in El Salvador, and has not provided for M. emotionally or financially. A *pro bono* attorney will need to file a custody case on behalf of M.'s mother, and obtain an order finding that M.'s reunification with his father is not viable due to abandonment, and that it is not in M.'s best interest to return to El Salvador.

**46. R., S., and T. are siblings aged 12, 11, and 8 from Guatemala. They speak Spanish and live with their mother in Milwaukee, WI. (Milwaukee County) (17-0115463)**

R., S., and T.'s father was extremely physically abusive to them and their mother. He regularly beat and insulted the children, and after he and their mother separated, he allowed his new girlfriend to beat them as well. T. fled to the United States with her mother in 2014, and R. and S. came later, in December 2016. Since their arrival, R., S., and T.'s father has not financially

provided for them and they have had no contact with him. The *pro bono* attorney will need to file a custody case on behalf of R., S., and T.'s mother, and obtain an order finding that reunification with their father is not viable due to his abuse and neglect, and that it is not in their best interest to return to Guatemala.

***47. U. is a 14-year-old girl from Honduras who speaks Spanish and lives with her mother in Hamilton County, IN. (16-0110180)***

U.'s father has never provided her with any financial support, and as a result, U.'s mother came to the United States in 2012 to find work and send money home to support her children. U. and her sister were left with an aunt, as their father had a new girlfriend and refused to care for them. In 2016, U. and her sister began receiving threats from gang members and fled to the United States. U. and her sister, who is now an adult, live with their mother in Indiana. A *pro bono* attorney will need to file a custody case on behalf of U.'s mother, and obtain an order finding that reunification with her father is not viable due to his abandonment and that it is not in her best interest to return to Honduras.

***48. C. is an 11-year-old girl from El Salvador. She speaks Spanish and lives with her mother in Chicago (Cook County). (18-0122560)***

C.'s father was physically abusive towards C., her mother, and her older sister. C.'s mother eventually fled the abuse, coming to the U.S. She left C. and her older sister in the care of their maternal aunt. However, C.'s maternal aunt also began physically and verbally abusing C. and her sister. C.'s father, who was allowed weekend visitation with her, began to sexually abuse C. With her older sister, C. fled to the U.S. to reunite with their mother. They were detained in the custody of the Office of Refugee Resettlement and eventually released to their mother in December 2016. The *pro bono* attorney will need to file a custody case on behalf of C.'s mother, and obtain an order finding that C.'s reunification with her father is not viable due to abuse, and that it is not in C.'s best interest to return to El Salvador.

## **U Visa Cases**

***49. A. is a woman from Mexico. She speaks Spanish and resides in a suburb of Chicago, IL. A. qualifies for the U visa because her minor child was the victim of sexual abuse. A. will require a waiver of inadmissibility. USCIS must receive A.'s U visa application by April 1, 2020. (19-0139469)***

A.'s young U.S. citizen daughter was the victim of sexual abuse by a family member. The sexual abuse occurred over several months in 2018. A. reported the abuse to the police and obtained an order of protection as soon as she became aware of the abuse. A criminal case is currently pending against the abuser and A. has been cooperating with the prosecution. A. and her daughter received counseling, seeking psychological recovery from the abuse they have experienced. Despite the hardship that A.'s daughter has faced, she continues to thrive as an honor roll student in school with the support from her mother.

**50. I. is a woman from Mexico. She speaks Spanish and resides in Chicago, IL. I. qualifies for the U visa because her minor daughters were victims of sexual abuse. I. will require a waiver of inadmissibility. USCIS must receive I.'s U visa application by April 2, 2020. (18-0126388) (19-0138801) (18-0127140) (19-0138802).**

I. is the indirect victim of Abusive Sexual Contact of her minor daughters, D. and V. D. and V.'s paternal uncle sexually abused them on multiple occasions. I. reported the sexual abuse to the police and was interviewed by detectives. The offender was arrested as a result of her cooperation. D. has been attending therapy sessions for depression and suicide prevention as a result of the sexual abuse. I. has also been receiving therapy services due to her daughters' trauma. I.'s husband and D. and V.'s father, J., will be a derivative on I.'s U visa application.

**51. J. is a man from Ecuador. He speaks Spanish and resides in Chicago, IL. J. qualifies for a U visa because his minor child was a victim of sexual assault. J. will require a waiver of inadmissibility. USCIS must receive J.'s U visa application on or before April 3, 2020. (19-0137084)**

J.'s U.S. citizen daughter, J.S. was a victim of sexual assault at the age of 8-years-old. J.S.'s mother's ex-boyfriend molested her over several months. Her nanny found out about the sexual abuse and immediately told J., who removed J.S. and her sisters from the house. J. qualifies for a U visa as the indirect victim of the crime. J. reported the sexual abuse to the police and cooperated throughout the investigation. As a result of J.'s cooperation, both the mother and ex-boyfriend were imprisoned. J. is a very attentive father towards J.S. He is very involved in her academics and regularly attends meetings for her IEP plan. J.S. is currently attending therapy sessions for the abuse.

**52. Y. is a woman from Mexico. She speaks Spanish and resides in a suburb of Chicago, IL. Y. qualifies for the U visa because she was the victim of domestic violence. Y. will require a waiver of inadmissibility. USCIS must receive Y.'s U visa application by April 23, 2020. (19-0139162) (19-0139170).**

Y. was the victim of domestic violence at the hands of her ex-husband, S. On October 08, 2008, S. got angry with Y. and struck her with a closed fist on her back and on her chin. The next day, Y. reported the incident to the police as she could no longer take the abuse. When responding officers from the Plano Police Department arrived at the scene, Y. informed them that S. had been physically and emotionally abusive in the past. Y. also provided a written statement of the incident to the officers, which led to S.'s arrest. Y. also filed an emergency order of protection against S. Y.'s daughter, A., is eligible to be a derivative on Y.'s application.

**53. M. is a woman from Mexico. M. speaks Spanish and resides in a suburb of Chicago, IL. M. qualifies for a U visa because she was the victim of sexual assault. M. will require a waiver of inadmissibility. USCIS must receive M's U visa application on or before May 7, 2020. (19-0131691)**

M. was the victim of sexual assault when a masseuse inappropriately touched her during an appointment. M.'s son, P., recommended that she make an appointment with his natural healer



since she had been experiencing physical pain. The masseuse arrived at M.'s home for her appointment, and after P. left the house, the offender began to massage M.'s body. Without her consent, the offender pulled down her pants and underwear. M. told him that that area did not need to be massaged, but the offender continued to forcefully massage her groin area. M. was embarrassed and distraught. When P. arrived, M. told him what happened and they reported the incident to the police. M. helped throughout the investigation and prosecution of the offender.

***54. M. is a woman from Mexico. She speaks Spanish and resides in a suburb of Chicago, IL. M qualifies for a U visa because she was the victim of domestic violence by her spouse. M. will require a waiver of inadmissibility. USCIS must receive M.'s U visa application on or before May 21, 2020. (19-0138343)***

M. was the victim of domestic violence. M.'s husband, C., approached her in the driveway and began accusing her of cheating on him. As he was yelling, he slapped M. across the face with an open hand. M. ran into her house, screaming, and told her children what happened. M. immediately called the police. When the police arrived, they noticed that she had a large red mark on her cheek from where she had been slapped. C. was arrested on site. M. later obtained an Order of Protection against C., and is currently in divorce proceedings. M. regularly attends domestic violence counseling. M. hopes to move forward and build healthy lives for herself and her US citizen children.

## **NIJC Announcements**

### **Seeking Asylum For Children and Spouses**

As a result of the administration's attacks on asylum, many spouses and children of asylum seekers, who used to be able to seek asylum as derivatives, may now need to establish their own independent eligibility for relief. All attorneys representing asylum seeking couples and families through NIJC should review [NIJC's recent policy update](#) to learn how to best protect their asylum clients.

### **Practice Alert for U visa and Asylum Cases**

Attorneys representing U visa and asylum applicants before USCIS should be aware that **USCIS may reject your Form I-918, Form I-918 Supplement A, or Form I-589 if you leave a field blank, unless the field is optional.** Optional fields include the safe mailing address, as well as fields you should only complete if you answered yes to a previous question. Attorneys must provide a response to all other questions, even if the response is "none," "unknown" or "n/a." USCIS will reject a form that has, for example, an empty field for middle name, for current immigration status, or for information pertaining to a spouse or child. USCIS will also reject a form that does not list the complete amount of information for the required time period. For example, USCIS will reject a form where the question asks for five years of employment history, but the answer only contains three years. Attorneys who have questions about this change in USCIS procedure should contact their NIJC point-of-contact.

## **Upcoming Pro Bono Trainings and Events**

*Register for our upcoming trainings and events [here](#)*