

August 21, 2020

**NIJC Pro Bono Case List: 68 cases need *pro bono* representation.**

As one of the country's leading human rights organizations, NIJC's pro bono attorneys defend the legal rights of immigrants regardless of background and transform the immigration system to one that affords equal opportunity for all.

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**HOW TO GET INVOLVED**

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- 1) [Watch a 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, contact Jesse Johnson at [jejohnson@heartlandalliance.org](mailto:jejohnson@heartlandalliance.org).
- **LGBT** cases, contact Michelle Velazquez at [mivelazquez@heartlandalliance.org](mailto:mivelazquez@heartlandalliance.org).
- All other **asylum** cases, contact Anna Sears at [ansears@heartlandalliance.org](mailto:ansears@heartlandalliance.org).
- **SIJS** cases, contact Hillary Richardson at [hrichardson@heartlandalliance.org](mailto:hrichardson@heartlandalliance.org).
- **U Visa** or **VAWA** cases, contact Lizbeth Sanchez at [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. As these individuals are often detained at county jails hours away from Chicago, pro bono attorneys conduct remote client meetings via telephone. 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.*

If you are interested in a detained matter please contact Jesse Johnson at (312) 660-1681 or [jejohnson@heartlandalliance.org](mailto:jejohnson@heartlandalliance.org)

### 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.*

- 1. R. is an HIV-positive, transgender woman from Honduras. She speaks Spanish and lives in Southern Indiana. Her merits hearing is on February 2, 2021. (17-0119958).***

As a child, R. was mistreated by classmates, who called her homophobic slurs. She only attended six years of elementary school. As an adolescent, men would often demand money from her for sexual favors. R. was robbed in the street by an unknown man when she was in her early 20s. R.'s brother was murdered in June 2003; he was shot multiple times and his death was not investigated. After her brother's death, R. fled to the United States and entered in early 2004. R. was diagnosed as HIV positive around 2005. She fears that she will be unable to access HIV medication in Honduras. R. has multiple letters of support already prepared. NIJC filed her asylum application on December 6, 2017. Her affidavit and other supporting documents will be due 15 days prior to her merits hearing.

- 2. M. is a lesbian woman from Haiti. She speaks Haitian Creole and French and lives in Chicago, Illinois. Her merits hearing is on March 23, 2021. (18-0123620).***

M. is a lesbian woman from Haiti. M. began exploring her sexual orientation at the age of 12, when she engaged in a sexual relationship with an older woman. When she was older, M. entered into a relationship with a man in order to hide her sexual orientation. She has a 7-year-old daughter from this relationship who still resides in Haiti. When she was 19, she again started dating a woman, J., in secret. In 2015, M. and J. were caught in an intimate moment by the younger brother of her male partner. The younger brother began crying out until a crowd gathered and beat M. and J. M. and J. were arrested and taken into custody where they were

beaten and tortured by fellow detainees once it was discovered they were lesbians. Shortly after, M. fled to Brazil where she lived for about a year, but did not feel safe living openly as a lesbian. Consequently, she fled again to the U.S. where she presented herself at the border in November 2016. NIJC filed M.'s asylum application on June 4, 2018, after M.'s one-year deadline. However, NIJC believes that due to M.'s diagnoses of Depressive Disorder, Major PTSD, and Adjustment Disorder, as well as the fact that she was not properly notified of the one-year deadline while detained, she has strong arguments for an exception to the one-year deadline and that she qualifies for asylum. M.'s affidavit and other supporting documents will be due 15 days prior to her merits hearing which has been set for March 23, 2021.

***3. T. (they/them) is a genderqueer person from Egypt. They speak English and Arabic and lives in Northwest Indiana. (20-0143619).***

T. grew up in a strict Egyptian Muslim household and they were assigned male at birth. From a young age, T. identified as gay and when they were 15 years old, they came out to their conservative mother. Their mother disapproved of their sexual orientation and T. realized that they did not feel safe living with their family, so they decided to do well in high school in order to apply to universities in the United States. At around 18 years old, T. started attending Notre Dame University and entered the United States on an F-1 student visa. At university, they started to get politically involved on campus and held leadership positions on various LGBT student organizations. They became more confident in their LGBT identity and were comfortable to finally to come out as genderqueer during this time too. During summer breaks, T. would go back to visit family in Egypt and their mother would try to force T. into conversion therapy sessions because she would see that T. was becoming more effeminate every time they would visit their family. T. finally decided to not return to Egypt and stay in the United States after their most recent entry in January 2020 because they fear family rejection and being exposed to more traumatic conversion therapy sessions. USCIS must receive T.'s asylum application by January 12, 2021. All affidavits and supporting materials in V.'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.*

***4. L. is a woman from Honduras. Her children, G., and S., are derivatives on her application for asylum and are also independently eligible for asylum. S. has not yet been scheduled for an immigration court hearing. L. and G.'s first Master Calendar Hearing was cancelled as a result of the COVID-19 pandemic and has not yet been rescheduled. L. and her children speak Spanish and live in Southern Indiana. (20-0140788) (20-0140815) (20-0140787)***

Months after L. began her relationship with her former partner N., she learned that he was a member of the Mara Salvatrucha (MS-13) gang. N., subjected L. to severe physical, emotional, and sexual abuse throughout their relationship. N. often locked L. in the house so that she could not leave and frequently threatened to harm their two children, G. and S., in order to punish L. for disobeying him. He often threatened to kill L., G., and S. if L. ever tried to leave him. Since L. and her children fled to the United States, N. has continued to search for them and is still threatening to harm them. L. and her older child G., fled to the United States first, followed by S., who came to the United States with another relative and was designated an unaccompanied child. NIJC timely filed L. and G.'s skeletal asylum applications with the immigration court in January 2020. Because S. entered the United States as unaccompanied child, USCIS will retain initial jurisdiction over her asylum application even after her NTA is filed with the immigration court. USCIS must receive S.'s application for asylum by November 8, 2020. All affidavits and supporting materials in L. and G.'s case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled. All affidavits and supporting materials to S.'s case will be due one week prior to her interview at the asylum office, which will likely take place 4-6 weeks after the date of filing.

- 5. E. is a woman from Honduras. Her daughter, L., is a derivative on her application for asylum and is also independently eligible for asylum. Their next Master Calendar Hearing is December 8, 2020. E. and L. speak Spanish and live in Indianapolis, Indiana. (20-0141414) (20-0141972)***

As a teenager, E. joined a local youth band that performed every year on Honduran independence day. At a rehearsal, she was introduced to another member of the band, T., and began a relationship with him. E. soon became pregnant and moved in with T. and his mother. T. physically abused E. throughout her pregnancy, causing their baby to be born prematurely and die only hours after his birth. E. believed that T. was involved with a gang, but T. would beat her when she tried to confront him about it. After she discovered drugs in their home, E. tried to leave T. multiple times, but T. attacked her and left her with multiple injuries. E. reported this incident to the police, but they did not protect her or control T. E. relocated to another area and began a relationship with a new partner, but T. continued to look for her and threaten her. While E. was pregnant with her daughter L., T. discovered where she was hiding. E.'s new partner disappeared soon after and has not been seen since. T. told E. that he had her new partner killed. T. told E. that he would never allow her to be with another man, and that if he couldn't have her he would kill her as well. E. fled to the United States with L. in 2018. NIJC filed E. and L.'s applications for asylum with the immigration court in 2020. Because these applications were filed more than one year after they entered the United States, their pro bono attorneys will need to argue that they merit an exception to the one-year filing deadline for asylum. NIJC will assist them in making this argument. All affidavits and supporting materials to E. and L.'s case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

- 6. D. is a woman from Mexico. Her children, F. and J., will be derivatives on her application for asylum and are also independently eligible for asylum. D. and her children speak Spanish and live in Chicago, Illinois. (19-0139086)(19-0139809) (19-0139810)***

D. entered a relationship with her ex-partner, S., while she was in college in Mexico. Soon after the relationship began, S. forced D. to move in with him and his family and drop out of school. S. and his parents were extremely controlling, and rarely allowed D. to leave the house. When D. told S. that she wanted to leave him, he began to physically abuse her and threaten to kidnap their children if D. ever tried to end the relationship. D. attempted to leave S. multiple times, but S. was always able to locate D. and punish her for trying to leave him. S. worked for a drug cartel in Mexico, and frequently used drugs in the home in front of S. and their children. As their children F. and J. grew older, S. began to verbally abuse them as well. D. knew that she would not be able to safely leave S. and remain in Mexico because of his connections to the cartel. D. and her children fled to the United States in late 2019. Although D. and her children were issued a 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, USCIS retains initial jurisdiction over their application for asylum. USCIS must receive D., F., and J.'s skeletal applications for asylum by September 21, 2020. All affidavits and supporting materials to their case will be due one week prior to D.'s interview at the asylum office, which will likely occur 4-6 weeks after the date of filing, unless their NTAs are filed with the immigration court.

- 7. H. is a woman from Guatemala. Her daughter, K., is included on her application for asylum and is also independently eligible for asylum. Their first Master Calendar hearing was cancelled as a result of the COVID-19 pandemic and has not yet been rescheduled. H. and K. speak Spanish and live in Northcentral Indiana. (20-0141981) (20-0142050)***

When H. was a young teenager in Guatemala, an older man in her community raped her regularly for about three years. Then, another abuser forced her to have sex and she became pregnant with her daughter. While pregnant, she survived an assault and attempted rape by strangers. Later, a family member of the owner of the factory where she was working started raping and threatening her, claiming that she belonged to him. Fearing ongoing sexual and physical abuse, H. fled Guatemala with K. Her most recent abuser continues to search for her and threaten harm against H. if she is returned to Guatemala. NIJC timely filed H. and K.'s skeletal applications for asylum with the immigration court in April 2020. All affidavits and supporting materials to their case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

- 8. D. is a young woman from Mexico. Her daughter, E., and her son, M., will be derivatives on D.'s application for asylum, and are each also individually eligible for asylum. Their Master Calendar hearing was cancelled as a result of the COVID-19 pandemic and has not yet been rescheduled. D., E., and M. speak Spanish and live in Chicago, Illinois. (20-0140566) (20-0140567) (20-0140568)***

D.'s ex-partner N. abused D. and threatened to kill her if she ever started a relationship with another man. D. and her ex-partner separated and he began a relationship with another woman. In 2017, Mexican police arrested D.'s ex-partner for the murder of his new partner and D. cooperated with their investigation. After his arrest, D.'s ex-partner began calling D. frequently and threatening to kill her and her children if she did not visit him. Not long after, D. also began

receiving anonymous calls from outside the prison from a man making the same threats to harm her and her children. The man told D. that he was following her and knew detailed information about the whereabouts of her children. One night, the man told D. that he was waiting outside her house in a black truck, which D. could see from her window. Fearing for her life and for her children's lives, D. fled Mexico with E. and M. NIJC timely filed D., E., and M.'s skeletal applications for asylum with the immigration court in July 2020. All affidavits and supporting materials to their case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

***9. T. is a woman from Colombia. T.'s daughter, X., is a derivative on T.'s application for asylum and is also independently eligible for asylum. T.'s Master Calendar hearing was cancelled as a result of the COVID-19 pandemic and has not yet been rescheduled. T. and X. speak Spanish and live in a suburb of Chicago, Illinois (20-0142556)(20-142568)***

T. lived with her partner, J., in Colombia. T. and J. had one daughter together. After several years together, T. discovered that J. was a guerrilla. When T. confronted J. about his involvement with the guerrillas, J. threatened to kill T. After this threat, T. tried to leave J., but J. found her and repeatedly beat and threatened her. T. reported J.'s abuse to the police but the police failed to protect T. from J. When their daughter was about five years old, J. kidnapped her from T.'s house. Authorities refused to investigate the kidnapping, and T. never saw her daughter again. Soon after, T. started dating another man. They married and T. became pregnant. When J. learned of T.'s pregnancy, J. threatened and nearly killed T.'s husband. T. reported the attempted murder to local authorities, who refused to investigate. For several years after, J. repeatedly stalked, beat, and threatened T. When J. threatened to kidnap T.'s younger daughter, X., T. fled to the United States with X. T. filed a timely, *pro se* application for asylum with the immigration court. All affidavits and supporting materials to T. and X.'s case will be due 15 days prior to their merits hearing, which has not yet been scheduled.

***10. C. is a young woman from Honduras. Her children, U. and R., are derivatives on her application for asylum. C. is currently awaiting the rescheduling of her next Master Calendar Hearing. C. and her children speak Spanish and live in western Indiana. (20-0140788) (20-0140787)(20-0140815)***

C.'s ex-partner, M., is a member of the Mara Salvatrucha (MS-13) gang in Honduras. When C. began her relationship with R., he was very kind to her, but soon after they moved in together he began to beat her and emotionally abuse her. He was often intoxicated and threatened to beat C.'s older child U., but C. always intervened. M. was extremely jealous of C. and forbade her from having contact with other men. M. frequently raped C. as punishment when she said she did not want to be with him. C. tried to report M.'s abuse to the police in Honduras multiple times, but was never able to obtain protection. C. eventually tried to relocate to Mexico with her daughter R. in order to get away from M., but M. threatened C.'s family and said that he would kill her son U., who remained in Honduras, if C. did not return from Mexico to be with him. Fearing for her life and for the lives of her children, C. returned to Honduras to get U. and then fled to the United States with U. and R. NIJC timely filed C.'s asylum application with the immigration court in 2020. All affidavits and supporting materials to C.'s case will be due 15

days prior to her individual merits hearing, which has not yet been scheduled.

***11. F. is a woman from Mexico. Her children T. and O. are derivatives on her application for asylum, and are also independently eligible for asylum. F. is currently awaiting the rescheduling of her next Master Calendar Hearing. F. and her children speak Spanish and live in Chicago, Illinois. (19-0137996) (19-0138001) (19-0138002)***

F.'s ex-partner, G., physically and emotionally abused F. throughout their years-long relationship. G. was controlling and violent towards F., and threatened to kill her on multiple occasions. When F. was pregnant with her daughter, O., she began receiving anonymous phone calls from people threatening to kill her family and demanding money from F. G. later told F. that members of a cartel had been threatening him and trying to force him to work for them, but he had refused. The cartel told G. that they would kill him and his entire family if he did not work for them. Fearing reprisals from the cartel and continued abuse from G., F. fled Mexico with her two children in 2015. F.'s application for asylum was filed with the immigration court in 2017. Because this application was filed more than one year after F. entered the United States, her *pro bono* attorneys will need to argue that she merits an exception to the one-year filing deadline for asylum. All affidavits and supporting materials to F.'s case will be due 15 days prior to her individual merits hearing, which has not yet been scheduled.

***12. K. is a woman from Mexico. Her daughter, L., will be included in her application for asylum and is also independently eligible for asylum. They are waiting the scheduling of their first Master Calendar hearing in Chicago. K. and L. speak Spanish and live in Southern Indiana. (20-0142644) (20-0142680)***

K.'s husband verbally, sexually, and physically abused her in Mexico for about three decades. In 2019, K. discovered that her husband was also sexually abusing their daughter, L. As a result of the abuse, L. began to self-harm and experience suicidal ideation. K. began making plans to flee her husband, but he threatened to kill both her and L. if she ever tried to leave or take his child away from him. Fearing for her own life and for the life of her daughter, K. and L. fled Mexico soon thereafter. NIJC will timely file K. and L.'s skeletal applications for asylum with the immigration court. All affidavits and supporting materials to their case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

***13. T. is a woman from Honduras. Her son, G., is included in her application for asylum and is also independently eligible for asylum. T. and G. speak Spanish and live in the Indianapolis area in Indiana. (20-0141561) (20-0142292)***

T. grew up in a rural town in Honduras. When she was 14 years old, she met her ex-partner and father of her children, who was twenty years her senior. One day, he invited her on a date and then forced T. to stay with him in a hotel overnight. The next morning, he took her to Tegucigalpa, the capital city, where she lived for the next seven years. T.'s ex-partner sexually and emotionally abused her for the entire time that she lived with him. After their children were born, T.'s ex-partner physically abused them as well, in order to punish T. for not following his commands. One day, after her ex-partner physically attacked her, T. fled Tegucigalpa with her son G. On their trip to the United States, the *coyote* guiding them through Mexico raped T.

Although T. and G. 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, USCIS retains initial jurisdiction over their application for asylum. NIJC timely filed skeletal applications for asylum for both T. and G. with USCIS in April 2020. All affidavits and supporting materials for their case will be due one week prior to T. and G.'s interview at the asylum office, unless their NTAs are filed with the immigration court.

***14. S. is a woman from Swaziland. Her daughter and son, T. and C., are derivatives on her application for asylum. Their merits hearing is on June 16, 2021. S., T., and C. speak English and live in Chicago, Illinois. (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. All affidavits and supporting materials will be due 15 days prior to S.'s individual merits hearing in 2021.

***15. R. is a woman from Guatemala. Her two children, G. and T., are derivatives on her application 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. All affidavits and supporting materials for R.'s case will be due prior to her individual merits hearing in 2022.

***16. N. is a woman from Guatemala. N.'s daughter, F., is a derivative on her application for asylum. N.'s merits hearing is on August 29, 2022. N. and F. speak Kanjobal and***



***live in Chicago, Illinois. 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 individual merits hearing in 2022.

***17. Q. is a woman from Honduras. Her son, Y., is a derivative on her application 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 throughout her childhood. When Q. was 14 years old, she met an older man, D. She moved in with D. and his family and soon after, D. began abusing Q. 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. Before fleeing to the United States, Q. tried to escape with her son, Y., but D.'s family threatened to take Y. and told Q. she would have to return to D. because she is his woman and her place is in their house. Fearing she would never be safe from D. or his family, Q. fled Honduras and entered the United States in April 2018. NIJC timely filed Q.'s skeletal application for asylum with the immigration court. All affidavits and supporting materials to their case will be due 15 days prior to their individual merits hearing in 2022.

***18. 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, Illinois. (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 preparing 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 individual merits hearing in 2022.

***19. P. is a woman from Honduras. Her children A., J., and E. are derivatives on her application for asylum and are also 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. All affidavits and supporting materials will be due 15 days prior to her individual merits hearing in 2023.

***20. K. is a woman from Honduras. K.'s merits hearing is on June 6, 2023. K. speaks Spanish and lives in Chicago, Illinois. (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 in D.'s care. After K. left, D. began to physically and sexually abuse K.'s daughter. 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 individual merits hearing in 2023.

***21. 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.

## **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.*

***22. R. is a man from Venezuela. R.'s next Master Calendar Hearing is on December 3, 2020. R. speaks Spanish and lives in Indianapolis, Indiana. (20-0140597)***

R. was a member of an opposition party in Venezuela and was also a vocal supporter of political and social reform. As an activist, he attended meetings, distributed information and recruited new members. R. experienced several verbal threats from *colectivos*, armed paramilitary groups,

who would pass by public party meetings to intimidate members. In 2017 while R. was at a march, he returned home to learn that a truck of *colectivo* members had passed by his house shooting guns and yelling his name. The following year, members of a *colectivo* surrounded and threatened R. and his girlfriend while they were walking to their car at a mall. In January of 2019, members of Venezuela's national security force, Sebin, were waiting outside of R.'s house. As he was leaving for work, they threw him into their truck, took him to a military base, and held him for about two days. During these two days, they threatened to make him disappear, and told him that he had to stop all participation in the opposition party. They let him go, but R. decided that it was not safe to stay, and fled to the United States. NIJC timely filed R.'s asylum application with the immigration court. All affidavits and supporting materials R.'s case will be due 15 days prior to his merits hearing, which has not yet been scheduled.

**23. J. is a woman from Venezuela. J.'s next Master Calendar hearing is February 11, 2021. J. speaks Spanish and lives in Indianapolis, Indiana. (20-0142471)**

J. was a member of an opposition party in Venezuela and a supporter of political and social reform. As an activist, she attended meetings, distributed information, and recruited new members. Initially, J. did not experience threats, but knew that her participation in the party was risky. In 2018, members of a *colectivo* (a quasi-governmental group that supports the ruling party) surrounded and threatened J. and her boyfriend while they were walking to their car at a mall. In January of 2019, members of Venezuela's national security force, Sebin, came to J.'s home in the middle of the night. They forced themselves into her home and took her with them to a secondary location where they detained her for about 24 hours. During this time, they told her that she had to stop all participation in the opposition and told her that they would kill her and her family if she did not obey. Soon after this, J. and her boyfriend fled to the United States. J. filed a timely, *pro se* application for asylum with the immigration court in March 2020. All affidavits and supporting materials to J.'s case will be due 15 days prior to her merits hearing, which has not yet been scheduled.

**24. B. is a man from Guatemala. His next Master Calendar hearing is December 7, 2020. B. speaks Spanish and lives in Southern Indiana. (20-0142513)**

B. was a member of a human rights group in Guatemala that protested mining projects and advocated for the rights of agricultural workers in his village. In 2019, Guatemalan police came to B.'s home and threatened to kill him if he continued his involvement with this group. Soon after, police kidnapped and detained B. for about a day and a half, during which time they beat him and interrogated him about his participation with the group, telling him that if he continued to defy them he would not survive. Fearing for his life, B. fled to the United States as soon as he was released from police custody. B. filed his application for asylum with the immigration court in 2019. Due to a previous deportation, B. is not eligible for asylum, but remains eligible for withholding of removal and protection under the Convention Against Torture. All affidavits and supporting materials to B.'s case will be due 15 days prior to his individual hearing, which has not yet been scheduled.

**25. R. is a woman from El Salvador. Her children, S. and A., are derivatives on her application for asylum and are also independently eligible for asylum. They are**

***currently awaiting the rescheduling of their next Master Calendar hearing. R., S., and A. speak Spanish and live in a northern suburb of Chicago, Illinois. (20-0141796) (20-0142695) (20-0142696)***

The Mara Salvatrucha (MS-13) gang controlled the neighborhood in El Salvador where R. lived with her family. Gang members extorted, threatened and assaulted R.'s husband, ultimately forcing him to flee the country. In early 2019, Salvadoran police shot and killed a gang member near R.'s home during a campaign to round up and arrest multiple gang members in the area. Shortly after, gang members came to R.'s home and accused her of collaborating with the police and giving them information about gang activity. During the same period, gang members were also attempting to forcibly recruit R.'s son, and threatened to kill the entire family if he refused. R. made a police report, then quickly fled to the United States with her children. NIJC will file R., S. and A.'s applications for asylum with the immigration court. Because these applications will be filed more than one year after the family entered the United States, their pro bono attorneys will need to argue that they merit an exception to the one-year filing deadline for asylum eligibility. NIJC will assist them in making that argument. All affidavits and supporting documents to R., S., and A.'s case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

***26. S. is a woman from Honduras. Her daughters, J. and L., will be derivatives on her application for asylum and are also independently eligible for asylum. S. and L. are currently awaiting the rescheduling of their next Master Calendar Hearing. J.'s next Master Calendar Hearing is February 3, 2021. S., J. and L. speak Spanish and live in a western suburb of Chicago, Illinois. (20-0140225) (20-0140227) (20-0140228)***

In Honduras, S. owned and operated a restaurant with her husband. In 2018, members of the Mara Salvatrucha gang (MS-13) came to the restaurant and informed S. that she would need to start paying them "rent" every two weeks in order to avoid problems with the gang. S. was able to keep up with the payments at first, but they soon raised the amount and she could not afford to continue paying. When S. failed to pay, MS-13 members told her that they were watching her family members. Eventually, S. was forced to close the restaurant out of fear. S. then received written threats at the former restaurant and at her home, demanding that she resume payments to the gang. MS-13 members threatened J. on her way to work, followed S.'s partner, and shot at him in the street. S., her partner and her children fled to the U.S. after this, fearing for their safety. S.'s partner was initially detained and therefore his case proceeded separately and more quickly than the rest of his family. S.'s partner was granted withholding of removal in December 2019. NIJC timely filed S., J. and L.'s applications for asylum with the immigration court in 2020. All affidavits and supporting materials to their case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

***27. C. is a young man from El Salvador. His first Master Calendar Hearing is October 7, 2021. C. speaks Spanish and lives in Northern Indiana. (19-0134970)***

C.'s older brother fled gang recruitment in El Salvador when C. was a young teenager. After his brother left, members of the Mara Salvatrucha (MS-13) gang began targeting C. instead, usually while he worked with the animals on his family farm. Multiple MS-13 members assaulted C. while he was tending cattle, telling him that if he did not give them information about his

brother's whereabouts that both C. and his brother would be killed by the gang. Under threat of death, MS-13 forced C. to be a messenger for the gang. If he tried to refuse, the gang threatened to kill C. and his family. Later, Salvadoran police attacked C. multiple times at his family home, demanding information about the gang. They accused C. of being a gang member and beat him with riot sticks. On one occasion, they held a gun to his head and threatened to kill him if he did not give them information about MS-13. Fearing further attacks from both the gang and the Salvadoran police, C. fled El Salvador in 2017. NIJC filed C.'s skeletal application for asylum in August 2019. Because his application for asylum was filed more than one year after C. entered the United States, his *pro bono* attorneys will need to argue that he merits an exception to the one-year filing deadline for asylum eligibility. NIJC will assist them in making this argument. All affidavits and supporting materials to C.'s case will be due 15 days prior to his individual merits hearing, which has not yet been scheduled.

***28. D. is a young woman from El Salvador. Her children, J., L., and H. are included as derivatives on her asylum application and are also independently eligible for asylum. E. is D.'s adopted son who is also independently eligible for asylum. D. is currently awaiting the scheduling of her next Master Calendar Hearing. D., J., L., H., and E. speak Spanish and live in Chicago, Illinois. (20-0140962) (20-0140976) (20-0141188) (20-0141189) (20-0141191)***

D's husband, P. was a member of the police force in El Salvador. Gang members from the Mara Salvatrucha (MS-13) gang started asking P. to work for them and when he refused, they targeted P., D., and their four children: J., L., H., and E. MS-13 gang members asked E. and L. to steal their father's (P.) police uniforms and beat them up badly when they refused. Soon after, gang members came to the family's house and attacked D. in front of her children. When E. found a note from MS-13 gang members slipped under the front door threatening to kill the whole family, D. and her four children: J., L., H., and E. fled to the United States. NIJC timely filed D., J., L. H. and E.'s applications for asylum with the immigration court. The venue in D.'s case was recently changed, and she has not yet been scheduled for a future hearing at the Chicago Immigration Court. All affidavits and supporting materials will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

***29. M. is a woman from Guatemala. M.'s daughter, D. is a derivative on M.'s application for asylum, and is also independently eligible for asylum. They are awaiting the rescheduling of their next Master Calendar hearing. M. and D. speak Spanish and live in Chicago, Illinois. (20-0142086) (20-0142087)***

M. owned and operated a small food stand in Guatemala to support herself and her daughter, D. M. was a single mother who lived alone with her daughter after attempting to distance herself her abusive ex-partner, who was D.'s father. Members of the Mara Salvatrucha (MS-13) gang came to M.'s food stand and threatened her at gunpoint, stating she needed to pay them a portion of her weekly earnings. When she tried to refuse, the gang members threatened to kidnap D. as punishment. Afterwards, M. began receiving threatening notes and phone calls from MS-13 members, continuing to demand money from her. Out of fear, M. eventually closed her food stand, but unfortunately MS-13 members continued to target and threaten M. and her daughter. During the same period, D.'s father continued to be verbally abuse M. and threatened to take D.

away from her multiple times. Fearing for their lives, M. and D. fled to the United States. While in the United States, M.'s family in Guatemala told M. that D.'s father had sexually assaulted M.'s sister. NIJC timely filed M. and D.'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.

***30. 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. They are awaiting the rescheduling of their next Master Calendar hearing. F., E., and S. speak Spanish and live in Chicago, Illinois. (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.

***31. K. is a woman from Honduras. Her sons, Y. and W. will be derivatives on her application for asylum and are also independently eligible for asylum. They are awaiting the rescheduling of their Master Calendar hearing. K., Y., and W. speak Spanish and live in Northcentral Indiana. (20-0142911) (20-0142959) (20-0142957)***

K. and her husband, C., participated in protests opposing the current Honduran president and his policies. During a nationwide protest in January 2019, C. displayed the flag of the opposition party on his motorcycle and police officers forced him to follow them at gunpoint to a secondary location where more than 50 police officers were gathered. The police beat C. and threatened to "disappear" him for protesting. C.'s brother-in-law, a Honduran police officer, intervened to save C.'s life. Police officers took C. to jail where a high ranking officer threatened to have C. killed if he continued protesting. Out of fear, C. and K. stopped participating in protests. In April 2019, protests escalated outside of K.'s workplace with police officers using tear gas and live ammunition. C. tried to pick K. up from work, but police officers recognized C., accused him of protesting and pursued him. C. was able to evade the police and he and K. immediately moved their family to another city in Honduras. A few days later, C. received a phone call from someone claiming to know where the family had relocated. The caller accused C. of protesting and threatened to kill him. Knowing the Honduran police would find them, C. and K. fled Honduras with their two children. Upon entering the United States, C. was detained and placed in separate removal proceedings from K., Y. and W. In February 2020, C. was granted withholding of removal. NIJC will timely file K., Y., and W.'s skeletal 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.

**32. G. is a man from Honduras. His son, S. is a derivative on his application for asylum and is also independently eligible for asylum. They are currently awaiting the rescheduling of their next Master Calendar hearing. G. and S. speak Spanish and live in Southern Illinois. (20-0142465)(20-0142466)**

G. made a living driving a taxi in Honduras. In 2019, members of the Mara Salvatrucha (MS-13) gang began threatening G. and attempting to forcibly recruit both G. and S. into the gang. The gang wanted G. to help them collect the money they were demanding from other taxi drivers, and also for G. to be a personal driver for members of the gang. Gang members also beat S. up on multiple occasions and waited for him outside his school to pressure him into joining the gang. G. attempted to report the threats against both him and son to the Honduran police, but officers refused to take his statement and sent him away. Shortly after going to the police, a gang member came to the bus depot where G. frequently worked to follow and intimidate him there. G. fears that the gang discovered that he tried to report them to the police and will want to punish him and his son. G. decided that he and S. were no longer safe in Honduras and they fled to the United States shortly after. NIJC filed M. and J.'s applications for asylum with the immigration court in 2020. Because these applications were filed more than one year after G. and S. entered the United States, their pro bono attorneys will need to argue that they merit an exception to the one-year filing deadline for asylum eligibility. NIJC will assist them in making this argument. All affidavits and supporting materials to G. and S.'s case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

**33. X. is a man from Honduras. His daughter, I. is a derivative on his application for asylum and is also independently eligible for asylum. X. and I. are awaiting the rescheduling of their next Master Calendar hearing. X. and I. speak Spanish and live in Chicago, Illinois. (20-0143463) (20-0143713)**

X. is an indigenous man from Honduras who owned land and fought for environmental rights in his community. A criminal organization took note of X.'s work and began forcibly recruiting him and demanding he give up the rights to his land. During the same period, X. participated in a national campaign with other members of the Council of Popular and Indigenous Organizations of Honduras (COPINH) to protest the construction of a hydroelectric dam that would have disenfranchised indigenous landowners. The Honduran police began threatening X. for his participation in this campaign and demanded that he stop opposing the construction of the dam. The criminal organization that previously attempted to recruit X. also began threatening him for his participation in the campaign, leading X. to believe that the criminal organization was working with the police to put down the protests. X. fled to the United States with his daughter, I., in 2019. NIJC timely filed X. and I.'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.

**34. L. is a woman from El Salvador. She is currently awaiting the rescheduling of her next Master Calendar Hearing. 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 extorted L.'s business and threatened to harm her if she did not pay. L. could not pay the gang and a few days later the gang members returned and physically assaulted her. L. avoided the market for a few weeks, 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 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. They shot at her and accused her of reporting 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 application for asylum with the immigration court. All affidavits and supporting materials for L.'s case will be due 15 days prior to her individual merits hearing, which has not yet been scheduled.

***35. J. is a young man from Guatemala. He is currently awaiting the rescheduling of his next Master Calendar Hearing. J. speaks Spanish and lives in Chicago, Illinois. (20-0140960)***

On an afternoon in 2018, J. walked to a restaurant in his community in Guatemala where he had planned to meet his older brother to watch a soccer match. When he arrived, he witnessed a group of Mara 18 (M18) gang members physically attacking his brother, and eventually stabbing him to death. J. did not leave his home for weeks afterwards in an attempt to avoid the men who killed his brother, but M18 gang members started looking for him and waiting outside his home. J. planned to meet his brother to watch a soccer game, but when he arrived at the bar, he witnessed M18 gang members murder his brother. Soon after, M18 gang members started following J. and threatening him. One night a group of M18 members followed J. and beat him badly, threatening to kill him if he told the police about the gang's involvement in his brother's murder. Fearing for his life, J. fled to the United States in early 2019. J. filed a timely, *pro se* application for asylum with the immigration court. All affidavits and supporting materials to J.'s case will be due 15 days prior to his individual merits hearing, which has not yet been scheduled.

***36. M. is a woman from Honduras. Her daughter C. is a derivative on M.'s application for asylum and is also independently eligible for asylum. M. and C. are awaiting the rescheduling of their next Master Calendar Hearing. M. and C. speak Spanish and live in Chicago, Illinois. (20-0140502) (20-0140873)***

M. worked as a hair stylist in Honduras. One day on her way home from work, M. witnessed gang members killing a young man. Shortly after, people unknown to M. came to her home and beat her badly. M. made a police report, but everyone in M.'s town told her she had days to leave before something else happened to her. M. believes that the beating is connected to the police report she made, and that the people who attacked her are connected to the gang. Fearing for her life and for the life of her daughter, M. fled Honduras with C. in early 2019. NIJC timely filed M.'s asylum application with the immigration court. The venue in M. and C.'s case was recently changed, and they have not yet been scheduled for a future hearing at the Chicago Immigration Court. All affidavits and supporting materials to their case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

**37. M. is man from Venezuela. His wife, L., and daughter, K., are included on his application for asylum. L. is also independently eligible for asylum. M., L, and K. live speak Spanish and live in Northern Indiana. (20-0142278) (20-0142669) (20-0142671)**

M. was a member of the Venezuelan military for over ten years. After returning from a trip abroad, he was arrested, interrogated, and tortured by Venezuelan military intelligence on suspicion of working for the opposition party. M. was detained for over two months before he was released under strict government supervision. Months later, he was again arrested, interrogated, and tortured for his imputed membership in the opposition party. After this arrest, he fled to the United States with his wife and daughter. NIJC timely filed M., L., and K.'s applications for asylum with the immigration court in July 2020. NIJC is currently assisting the family in changing the venue of their removal proceedings to the Chicago Immigration Court. All affidavits and supporting materials to M., L., and K's case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

**38. M. is a woman from Cuba. She has not yet been scheduled for her first Master Calendar Hearing. M. speaks Spanish and lives in Chicago, Illinois. (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. NIJC timely filed M.'s skeletal application for asylum in March 2020. All affidavits and supporting materials to M.'s case will be due 15 days prior to her individual merits hearing, which has not yet been scheduled.

**39. P. is a woman from Nicaragua. Her children, D. and R., are derivatives on her asylum application and are also independently eligible for asylum. P., D., and R. speak Spanish and live in Wisconsin. (20-0141803) (20-0140196) (20-0142449)**

P. and her husband were members of an opposition political party in Nicaragua. Police came to P.'s home in January 2019, demanding that she remove a flag that signified their family's opposition. The police also accused her and her husband of providing financial support to protesters, searched their home, and warned P. to stop participating in the opposition party. The police returned in February and attempted to detain P. and her husband, but left when they saw

her husband was not home. Terrified, P. and her family went into hiding at her brother's home before fleeing to the United States. P. entered the United States with her daughter R. in June 2019, and her son D. entered alone in October 2019. Although P., D., and R. were all issued Notices to Appear (NTA) 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 P. and R.'s applications for asylum. Because D. entered the United States an unaccompanied child, USCIS will retain initial jurisdiction over his application for asylum even after his NTA is filed with the immigration court. NIJC timely filed P. and R.'s applications for asylum in June 2020. USCIS must receive D.'s skeletal application for asylum by October 3, 2020. Once P. and R.'s NTAs are filed with the immigration court, all affidavits and supporting materials to their case will be due 15 days prior to their individual merits hearing. All affidavits and supporting materials to D.'s case will be due one week prior to his interview at the asylum office, which will likely occur 4-6 weeks after his application for asylum is filed with USCIS.

***40. 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, Illinois. (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. NIJC timely filed R., L., and B.'s skeletal applications for asylum with USCIS in April 2020. All affidavits and supporting materials for the family's case will be due one week prior to their interview at the asylum office, unless their NTAs are filed with the immigration court.

***41. P. is a man from Mexico. His wife, S. and his three daughters, E., G., R. will be derivatives on his application for asylum, and are each also independently eligible for asylum. P. and his family speak Spanish and live in Chicago, Illinois. (20-0142076) (20-0142077) (20-0143342) (20-0143343) (20-0143344)***

In Mexico, P. worked for a bank. In 2018, a known member of a large drug cartel came to P.'s bank and demanded that P. open a bank account for him. P.'s bank would not approve the new account, and the cartel member became furious with P. Afterwards, the same cartel member started threatening P. and other members of his cartel contacted P. demanding money. Out of fear, P. left his job and relocated to another town, but he was unable to support his family and eventually he resumed working at the bank. Despite his attempts to keep a low profile, the cartel

continued to target and threaten P. and his family. Fearing escalating attacks from the cartel, P. and his family fled to the United States. Although P. 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 jurisdictions over their applications for asylum. NIJC will timely file P., S., E., G., and R.'s skeletal applications for asylum with USCIS in September 2020. All affidavits and supporting materials for the family's case will be due one week prior to their interview at the asylum office, unless their NTAs are filed with the immigration court.

***42. J. is a woman from Honduras. Her son, D., is a derivative on J.'s application for asylum and is also independently eligible for asylum. J. and D. speak Spanish and live in Northcentral Indiana. (20-0140392)(20-0140492)***

As a teenager, J. met the father of her two oldest children. The two began living together when J. became pregnant. In about 2010, J.'s partner became abusive and began carrying a gun. In about June 2010, J.'s partner fled to Tegucigalpa because he had run afoul of a local drug-trafficking group. The criminal group started threatening J. and her family as a way to get to her ex-partner. For years, J., her children, and her extended family received death threats from the criminal group. In mid-2012, police murdered J.'s partner at the behest of the organized crime group. J. reported the murder to police, but police laughed at her and dismissed her claim. She and her family relocated within Honduras to hide, but the criminal group stalked and threatened them further. In about January 2019, J. fled to the U.S. with her youngest son, D. J. fears that if she is forced to return to Honduras with her son, they will be killed by the criminal organization that has targeted them for nearly a decade. Although J. and D. 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, USCIS retains initial jurisdiction over their application for asylum. NIJC timely filed J. and D.'s skeletal applications for asylum with USCIS in 2020. All affidavits and supporting materials to their case will be due one week prior to their interview at the asylum office, unless their NTAs are filed with the immigration court.

***43. O. is a woman from Guatemala. Her son, I., will be a derivative on her application for asylum. O. and I. speak Spanish and live in Chicago, Illinois. (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. NIJC timely filed O and her son's asylum applications with the asylum office. All affidavits and supporting materials will be due one week prior to her asylum interview, unless their NTAs are filed with the immigration court.

***44. R. and L. are a husband and wife from Honduras. Their children, P. and T., will be derivatives on their applications for asylum. The family is waiting for their next Master Calendar hearing to be rescheduled. R., L., P., and T. speak Spanish and live in Chicago, Illinois. (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., and their two daughters fled to the United States in 2019. NIJC timely filed the family's asylum applications. All affidavits and supporting materials to their case will be due prior to their individual merits hearing, which has not yet been scheduled.

***45. V. is a woman from Mexico. Her children, N., C. and T. will be derivatives on her application for asylum, and are each 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 Mexican police officer, at age 14. M. forced V. to live with him 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 a drug 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 while in prison. V. moved several times to escape him, but M. always found her from prison and threatened to kill her if she 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. Other members of M.'s cartel 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 application for asylum with USCIS in 2019. All affidavits and supporting materials for V., N., C., and T.'s case will be due one week prior to their interview at the asylum office, unless their NTAs are filed with the immigration court.

***46. J. is a woman from Honduras. Her son, K., is a derivative on her application for asylum and is also independently eligible for asylum. J. and K. speak Spanish and live in Northcentral Indiana. (20-0140392) (20-0140492)***

As a child and young woman, J. was repeatedly sexually abused and assaulted by multiple men. Later, J. entered into a relationship with the father of her son K. He was involved with a powerful criminal organization in Honduras, but the organization subsequently placed his name on a hit list that was circulated among Honduran police officers who are paid to assassinate enemies of the organization. J.'s partner was subsequently murdered, and then J. and K. began to receive threats from the criminal organization as well. J. tried to hide in rural Honduras, but associates of the criminal organization located her. Days later, J. and K. fled Honduras. Although J. and K. 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. NIJC timely filed their asylum applications with USCIS in January 2020. All affidavits and supporting materials will be due one week prior to their asylum interview, unless their NTAs are filed with the immigration court.

***47. 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 individual merits hearing in 2021.

***48. L. is a man from Mexico. His merits hearing is August 8, 2021. L. speaks Spanish and lives in Chicago, Illinois. (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 began extorting L.'s sister at her shop. When 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 as well. 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. In early 2017, shortly after his mother's funeral, L.'s sister saw one of the Zetas' cars near their house and warned L. to flee. L. immediately fled to the United States. 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 said he did not know. L. has several DUI convictions in the United States. These convictions do not bar L. from receiving asylum, but they 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 individual merits hearing in 2021.

**49. B. and T. are a husband and wife from Mexico. Their children, A. and E., are derivatives on their applications for asylum. Their merits hearing is on October 26, 2021. B., T., A., and E. speak Spanish and live a western suburb of Chicago, Illinois. (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. All affidavits and supporting materials to their case will be due 15 days prior to their individual merits hearing.

**50. 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 individual merits hearing in 2022.

***51. L. is a man from Guatemala. L.'s merits hearing is on April 26, 2022. L. speaks Spanish and lives in Bloomington, Illinois. (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 individual merits hearing in 2022.

***52. Z. is a man from Republic of Congo. Z.'s merits hearing is on November 21, 2022. Z. speaks French and lives in Chicago, Illinois. (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 individual merits hearing in 2022.

***53. L. is a woman from El Salvador. Her sons, F. and N., are derivatives on L.'s application 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 individual merits hearing in 2023.

***54. 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, Illinois. (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 individual merits hearing in 2023.

***55. 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, Illinois. (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 individual merits hearing in 2023.

**56. *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, J., selling fruit in a market. J.'s daughter did not support the relationship. The daughter's boyfriend is also a Mara 18 gang member. When J. 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. The boyfriend of J.'s daughter and two other Mara 18 gang members kidnapped B. and gang raped her, taking photos to send to J. 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. B. fled 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. All affidavits and supporting documents to B.'s case will be due 15 days prior to her individual merits hearing in 2023.

**57. *P. is a young man from Honduras. P. speaks Spanish and lives in Milwaukee, Wisconsin. (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.*

***58. J. and K. are siblings aged 17 and 14 from Honduras. They speak Spanish and live with their mother in Chicago. J. turns 18 in January of 2021. (Cook County) (20-0143094) \*Urgent\****

J. and K.'s father abandoned them when they were five and two years old, when he came to the United States. Their father sent money to their mother for about a year, but then he stopped communicating with the family. The children have not seen their father since he left to the United States. Their mother came to the United States when they were seven and five years old, in order to provide for them. J. and K. lived with their older siblings and their maternal aunt, but J. and her older brother began experiencing harassment by a local gang and in November 2017, J. fled to the United States. K. entered separately, in March 2018. Both J. and K. were apprehended and detained in the custody of the Office of Refugee Resettlement, and subsequently released to their mother in Chicago. A pro bono attorney will need to file a custody case on behalf of J. and K.'s mother, and obtain an order finding that J. and K.'s reunification with their father is not viable due to his abandonment, and that it is not in their best interest to return to Honduras. This order MUST be obtained before J.'s 18th birthday in January 2021.

***59. C. is a 16-year-old boy from Guatemala. He speaks Spanish and lives in Chicago with his uncle. (Cook County) (20-0143165)***

C grew up in poverty with a father who drank a lot. C had to leave elementary school to help his family financially by working in the fields. When C's father passed away recently of a heart attack, the family lost their main source of income. This resulted in C's decision to flee to the United States in February 2020. He was apprehended and detained in the custody of the Office of Refugee Resettlement, and was subsequently released to his uncle in Illinois. C is now living with his uncle and attending school online. A pro bono attorney will need to file a guardianship case on behalf of C's uncle, and obtain an order finding that C's reunification with his father is not viable due to his abandonment, and it is not in C's best interest to return to Guatemala.

***60. J. is an 11-year-old girl from Honduras. She speaks Spanish and lives in a northern suburb of Chicago with her mother. (Lake County) (20-0142589)***

J. has never had a relationship with her father. When J. was about five years old, her mother came to the United States fleeing persecution. J. was raised in Honduras by her maternal grandmother. J.'s father never emotionally or financially supported J. and she has not had contact with him since she was two months old. J.'s grandmother also began receiving threats by gang members and it was not safe for J. to remain with her, so in February 2020, J. came to the United States. She was apprehended and detained in the custody of the Office of Refugee Resettlement, and was subsequently released to her mother in Illinois. A pro bono attorney will need to file a custody case on behalf of J.'s mother, and obtain an order finding that J.'s

reunification with her father is not viable due to his abandonment, and that it is not in J.'s best interest to return to Honduras.

**61. K. is a 14-year-old boy from Guatemala. He speaks Spanish and lives with his mother in Chicago (Cook County). (20-0142899)**

K's parents were never married, and K's father physically abused K's mother for many years. In approximately 2010, K's mother fled to the United States, leaving K and his older siblings with their father. In December of 2018, K's father declared he could no longer support K, and sent K to live with his maternal grandmother, where he suffered physical abuse by a relative. K fled to the United States in January of 2019, where he was apprehended and detained in the custody of the Office of Refugee Resettlement, and subsequently released to the custody of his mother. A pro bono attorney will need to file a custody case on behalf of K's mother, and obtain an order finding that K's reunification with his father is not viable due to his neglect and abandonment, and that it is not in K's best interest to return to Guatemala.

**62. W. is a 16-year-old boy from Mexico. He speaks Spanish and lives in southeastern Wisconsin with his mother. (Racine County) (20-0141553)**

W.'s father abandoned him when he was two years old. W.'s father never emotionally or financially supported him. W. lived with his mother until she came to the United States seeking work to provide for W. W. then lived with his older brother, but they were threatened by cartel members and they fled to the United States in December 2019 fearing for their lives. W. was apprehended and detained in the custody of the Office of Refugee Resettlement, and was subsequently released to his mother in Wisconsin. A pro bono attorney will need to file a custody case on behalf of W.'s mother, and obtain an order finding that W.'s reunification with his father is not viable due to his abandonment, and that it is not in W.'s best interest to return to Mexico.

**63. M. is a 9-year-old boy from El Salvador. He speaks Spanish and lives with his mom in Newton County, Indiana. (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.

**64. U. is a 15-year-old girl from Honduras who speaks Spanish and lives with her mother in Hamilton County, Indiana. (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.

## U Visa Cases

***65. F. is a woman from Mexico. She speaks Spanish and resides in Chicago. F. qualifies for a U visa because she was the victim of domestic violence. F. will require a waiver of inadmissibility. F.'s U visa must be received by USCIS on or before October 1, 2020. (20-0141843) \*Urgent\****

F. was the victim of domestic violence by her ex-boyfriend and father of her children. While F. was securing her child in the seat of the car after picking up her children from a local daycare, her abuser came up from behind and punched her in the mouth and right side of the face and threatened to kill her. The police report and I-918 Supplement B detail the qualifying crime of domestic violence and demonstrate that F. was cooperative throughout the investigation. F. suffered substantial physical and emotional harm throughout her relationship with the father of her children. She has had several orders of protection against her abuser. F. is currently receiving counseling to help her heal from the trauma she endured.

***66. A. is a woman from Mexico. She speaks Spanish and resides in a suburb of Chicago. A. qualifies for a U visa because she was the victim of domestic violence. A. will require a waiver of inadmissibility. A.'s U visa must be received by USCIS on or before January 27, 2021. (19-0139477)***

A. was the victim of domestic violence at the hands of her former partner, D. A. and D. had been in a relationship for 10 years and D. was physically and verbally abusive throughout. The abuse only worsened. On July 7, 2018, D. was very drunk and struck A. on the left side of her face and on her head with his fist. A. called the police, but by the time they arrived, D. had fled. A. was fully cooperative in the investigation of the crime by providing a detailed report of the incident. A. was treated for her injuries by the ambulance that arrived to her home.

***67. H. is a young woman from Honduras. H. is also eligible for a U visa as an indirect victim of a qualifying crime because her son P. was the victim of domestic violence as a minor. P. will be a derivative on H.'s U visa petition and both H. and P. will require waivers if inadmissibility for the U visa. H. is also seeking asylum and P. is a derivative on H.'s application for asylum, and is also independently eligible for asylum. H. and P. speak Spanish and live in Chicago, Illinois. (20-0141408) (20-0141410) (20-0141208) (20-0141209)***

H.'s ex-partner, J., began physically abusing H. after she became pregnant with their son, P. Soon after, J. was arrested and imprisoned for two years. After he was released, J. sought out H.

and began threatening her. He also began associating with gang members. H. told J. that she did not want a relationship with him. This made J. furious, and he continued to stalk and threaten H. One night, J. sexually assaulted H. and threatened to kill her if she tried to leave him. Fearing for her life, H. fled to the United States with her son. H. filed a timely, *pro se* application for asylum with the immigration court. Her *pro bono* attorneys should also plan to file an independent application for asylum for P. prior to their merits hearing. All affidavits and supporting materials to H. and P.'s case will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

Separately, in July 2018, H.'s son P. was the victim of domestic battery as a young child when H.'s brother-in-law grabbed P. by his hair and shirt and pulled him across a room, leaving P. with scratches on his shoulder. H.'s sister called the police because she witnessed the abuse and H. spoke with and cooperated with the police. This incident affected H. emotionally and P. began to act out in school and against H. Both H. and P. are seeking counseling to help them move forward.

## **VAWA**

***68. M. is a woman from Mexico. M. speaks Spanish and resides in a suburb of Chicago. M. qualifies for protection under VAWA because she was the victim of domestic violence. M. is also eligible to file for Adjustment of Status concurrently. There is not a deadline, since M. is still legally married to her abuser. (20-0141755)***

M. and J. married in 2018, after which, J. began to subject M. to extreme cruelty and abuse. J. forced them to live in poor living conditions so that he could avoid paying rent. M. felt very unsafe. J. would often leave without telling M. and return very drunk. This frightened M. because he threatened physical abuse. Throughout their relationship, J. abused M. financially, emotionally, and verbally. M. decided to move out because she did not feel safe. M. was in a domestic violence shelter for three months while she tried to figure out where to go. M. has been in therapy for a year for the abuse that she suffered.

## **NIJC Announcements**

The immigration world is changing! Bookmark NIJC's [Immigration Procedural Update](#) page and check it frequently for news that may impact your *pro bono* case.

### **Pro Bono Alert!**

#### **Pro Bono Alert!**

#### **New Deadlines Related to Increased USCIS Fees and Changes in Asylum Seeker Employment Authorization Eligibility.**

Significant changes in asylum-based employment authorization eligibility go into effect on August 25, 2020, impacting the timeframe in which asylum seeker are eligible for employment authorization and barring many asylum seekers from employment authorization all together. The changes are varied; attorneys should review NIJC's [guidance regarding the new EAD rules](#) for detailed information.

Separately, new and significantly increased USCIS fees go into effect on October 2, 2020. These include, for the first time, a fee for asylum applications, as well as the elimination of fee waivers for many applications, and increased fees for employment authorization applications, naturalization applications, and petitions for waivers. For example, the cost to naturalize will increase by 83% to \$1170. NIJC is working to ensure that applications for current clients are submitted prior to the fee change and pro bono attorneys should ensure their filings are completed prior to October 2, 2020 as well.

It is critical that pro bono attorneys immediately review NIJC's [guidance regarding the new EAD rules](#) and [guidance regarding the new fees](#) to determine what next steps they should take. For case-specific questions, please contact your NIJC point-of-contact. For general inquiries contact Ellen Miller at [emiller@heartlandalliance.org](mailto:emiller@heartlandalliance.org).

### **New Forms Go Into Effect on August 25, 2020**

New USCIS editions of form I-765, application for employment authorization, and form I-589, application for asylum, go into effect on August 25, 2020. For forms filed on or after August 25, 2020, USCIS will not accept prior editions of the form. Please go to <https://www.uscis.gov/forms/all-forms> for more information.