

November 20, 2020

## **NIJC Pro Bono Case List: 62 cases need pro bono representation.**

Immigrants do not have the right to appointed counsel and without pro bono representation, many of NIJC's clients would be forced to seek immigration relief on their own. NIJC pro bono attorneys defend the legal rights of immigrants, prevent permanent family separation and deportation to persecution and torture, and help ensure access to justice for all.

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

### ➤ **Asylum Matters:**

- [Featured Asylum Cases](#)
- [Asylum: Unaccompanied Immigrant Children](#) (1 Urgent)
- [Asylum: Based on Sexual Orientation and Gender Identity](#) (1 Urgent)
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### ➤ [Special Immigrant Juvenile Status \(SIJS\) Matters](#) (1 Urgent)

## **HOW TO GET INVOLVED**

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

- 1) [Watch a 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 Matters

## Featured Cases

1. L. is a man from Mexico who speaks Spanish. In 2013, while L. was in the United States, the Zetas cartel began extorting his sister and then killed her husband when she could not pay. Soon after, L.'s son was deported to Mexico and the Zetas began to extort him. When he could not pay, the Zetas killed him too. In 2016, L. returned to Mexico to visit his dying mother and the Zetas began looking for him. L. fled to the United States, but the Zetas found L.'s brother and beat him when he did not reveal L.'s location. In the past, L. has struggled with alcohol abuse and has several DUIs, but has a strong support system. **L.'s merits hearing is on August 8, 2021.** For more information, contact [Anna Sears](#) about case #17-0116219.
2. B. and his family are from Mexico and speak Spanish. When B.'s son was in junior high, a police officer began threatening him and the family to force him to sell drugs for a cartel. Eventually, officers came to B.'s home, attempted to extort him, and hit B. when he could not pay. The family fled to the United States, but soon afterwards, B.'s cousin was murdered and his brother-in-law's house was burglarized. **Their merits hearing is on October 26, 2021.** For more information, contact [Anna Sears](#) about cases #17-0115637, #17-0115363, #17-0115635, and #17-0115638.
3. P. and her children are from Nicaragua and speak Spanish. P. and her husband were members of an opposition political party. In early 2019, police came to their home and demanded they remove an opposition flag, searched their home, and warned them to stop supporting the opposition. The police returned a few weeks later and attempted to detain P. Terrified, P. and her family went into hiding and then fled to the United States. **P.'s next Master Calendar hearing is on January 27, 2021, but is unlikely to proceed due to COVID-19.** Her children are in different procedural postures. For more information, contact [Anna Sears](#) about cases #20-0141803, #20-0140196, and #20-0142449.

## Asylum: Unaccompanied Immigrant Children

- 4. J. is a young man from Honduras. USCIS retains initial jurisdiction over his application for asylum because he was designated as an unaccompanied immigrant child when he entered the United States, even though he may soon be in removal proceedings. J. speaks Spanish and lives in Chicago, Illinois. (20-0140934) \*Urgent\**

Members of the Mara Salvatrucha (MS-13) gang threatened to kill J. and his family when he refused to join the gang and sell drugs for them. During the same period, one of J.'s friends was murdered by the gang for refusing similar threats. J. never reported the direct threats to the police out of fear and instead, he fled to the United States in 2019. Although J. was issued a Notice to Appear (NTA), the Department of Homeland Security (DHS) has not filed the NTA with the immigration court. NIJC timely filed J.'s application for asylum in September 2020. J.'s affidavit and supporting documents will be due one week prior to his interview at the asylum office, which may occur any time after mid-November.

## 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.*

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

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.

**6. L. is a transwoman from Jamaica. She speaks English and lives in a western suburb of Chicago, Illinois. (20-0143359)**

L. came out as a gay man at 16 years old. She was bullied most of her early school years because of her sexual orientation and for presenting as an “effeminate boy.” L. then came out as a transwoman after finishing high school. Strangers and some family members harassed her on the streets, calling her homophobic names, when she started presenting as female. L. had a difficult time looking for jobs and a place to live because of her gender identity. In 2017, she was finally able to get a job at the Ministry of National Security in Jamaica and was told that she needed to use her legal name and was forced to present as male during work hours. Throughout the years at her workplace, she was a victim of bullying and transphobia. Co-workers often bullied her for using the women’s bathroom or for being effeminate. In early 2020, L. was sexually assaulted by a male co-worker and she never reported this to the police for fear of being fired from her job. Eventually co-workers started to spread rumors about L. and blamed the assault on her. They humiliated L. by spreading nude pictures of her through office e-mails that they obtained from hacking into her personal e-mail. L. tried reporting this latter incident to the police, but the police did not help her because she is trans. L. decided to come to the United States for fear of being sexually assaulted again and harassed in her daily life. L.’s attorneys must file her asylum application with USCIS prior to June 19, 2021. All affidavits and supporting materials in L.’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.*

**7. J. is a woman from Honduras. Her daughters, Z., R., and E. are derivatives on her application for asylum and are each also independently eligible for asylum. J., Z., R., and E. speak Spanish and live in northern Illinois. (20-0143297) (20-0143719) (20-0143721) (20-0143802)**

J. was in a relationship with the father of her daughters, C., for around twenty years. While they were together, C. abused J. almost daily. He beat her, insulted her and threatened to kill her. Even after they separated, he continued to come to her home under the pretense of visiting their daughters and beat her. In spring 2019, members of the Mara Salvatrucha (MS-13) gang chased J.’s brother to J.’s home where they nearly killed him in front of J. and her daughters. The gang member threatened to come back and kill J. and her daughter and to burn their house down. J. and her daughters fled to the United States right after this. Although J. and her daughters 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, USCIS retains initial jurisdiction over their applications for asylum.

NIJC filed J., Z., R., and E.'s applications for asylum with USCIS in August 2020. Because these applications were filed more than one year after J. and her daughters 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 J., Z., R., and E.'s cases will be due one week prior to their interview at the asylum office, unless their NTAs are filed with the immigration court.

- 8. *M. is a young woman from Honduras. Her son, O., is a derivative on her application for asylum and is also independently eligible for asylum. M. and O. are awaiting the rescheduling of their next Master Calendar Hearing. M. and O. speak Spanish and live in northern Illinois (18-0130624) (18-0131084)***

M.'s father and other caretakers physically and emotionally abused her throughout her life in Honduras. When she was 15 years old, she met O.'s father. Soon after they began a relationship, he started to beat and rape M. frequently, and continued to do so throughout her pregnancy with O. He and his family also emotionally abused M. and blamed her for the abuse. M. fled to the United States shortly after O.'s birth. NIJC timely filed M. and O.'s applications for asylum in 2019. All affidavits and supporting documentation for M. and O.'s case will be due 15 days prior to their merits hearing, which has not yet been scheduled.

- 9. *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. NIJC timely filed S.'s application for asylum with USCIS in September 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.

***10. 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.

***11. M. is a woman from Honduras. Her daughter, D., will be a derivative on her asylum application and is also independently eligible for asylum. M. and D. speak Spanish and live in northcentral Indiana. (20-0143663) (20-0143734)***

When M. was a young teenager, her uncle raped her and then forced her to live with him for years, where he beat and raped her regularly. As a result, M. gave birth to her daughter when she was about 16 years old. After continued abuse, M. finally escaped to the United States with her daughter, D., in 2019. Although M. 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 filed M. and D.'s applications for asylum with USCIS in August 2020. Because these applications were filed more than one year after M. and D. entered the United States, their pro bono attorneys will need to argue that they merit an exception to the one-year filing requirement for asylum. NIJC will assist them in making this argument. All affidavits and supporting materials to their case will be due one week prior to M.'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.

***12. 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 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 D., F., and J.'s applications for asylum with USCIS in September 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.

***13. 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.

***14. 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.

***15. 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.

***16. 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.

***17. 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.

***18. 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.

***19. 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 near Indianapolis, 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.

***20. 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.

***21. 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.

**22. 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 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.

**23. 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.

**24. 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.

***25. 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.

***26. 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.*

### ***27. 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.

### ***28. 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 filed R., S., and A.'s applications for asylum with the immigration court in August 2020. Because these applications were 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.

***29. 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 United States. 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.

***30. L. is a man from Honduras. L.'s next Master Calendar Hearing is on June 16, 2021. L. speaks Spanish and lives in a southwestern suburb of Chicago. (20-0142467)***

In 2018, L. was living with his former partner, D., when she began to receive threatening text messages from her ex-husband. Within a few days, D.'s ex-husband murdered her. Soon after, L. began to receive threatening messages from men associated with D.'s ex-husband. These men also started to intimidate L.'s family while they were looking for him. L. assisted D.'s family in making a police report about the murder, but nothing significant came from it and police even tried to blame L. for the D.'s death. L. fled Honduras about a month after D.'s death, fearing that the same people who killed her would come for him next. L. filed a pro se application for asylum with the immigration court in 2020. Because this application was filed more than one

year after he entered the United States, L.'s pro bono attorneys will need to argue that he merits an exception to the one-year filing deadline for asylum. NIJC will assist them in making that argument. All affidavits and supporting materials to L.'s case will be due 15 days prior to his individual merits hearing, which has not yet been scheduled.

***31. C. is a young man from El Salvador. His first Master Calendar Hearing is October 7, 2021. C. speaks Spanish and lives in northcentral 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.

***32. 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.

**33. 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 from 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 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.

**34. 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.

**35. 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 timely filed 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.

***36. 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.

***37. 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.

***38. 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 northcentral 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.

***39. 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.

**40. 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.

**41. 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.

**42. 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.

***43. 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.

***44. 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 United States 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.

***45. 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.

***46. 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.

***47. F. is a man from Mexico. His wife, C., and their children, T. and R., 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. (20-0143334) (20-0143335) (20-0143338) (20-0143339) (20-0143340)***

F. and his eldest son, T., were working together at their wood mill in Mexico when members of a cartel approached them and demanded that T. start working for them. F. refused to let the cartel take his son, and told the cartel members that T. wanted to remain with his family and earn an honest living. Soon after, the cartel members threatened to kill the entire family and kidnap T. if he did not work with them. The cartel gave the family two days to decide, and F. chose to flee with his wife and children. F., C., T., and R. entered the United States in December 2019. Although they are likely in removal proceedings, F. and his family have not yet been scheduled for a Master Calendar Hearing. NIJC will timely file their applications for asylum with USCIS, unless their cases are scheduled with the immigration court. Due to previous entries to the United States, F. may only be eligible for withholding of removal. All documentation to F., C., T., and R.'s cases will be due 15 days prior to their individual merits hearing, which has not yet been scheduled.

***48. 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.

***49. 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.

**50. M. is a woman from El Salvador. Her children, O. and A., are derivatives on her application for asylum and are also independently eligible for asylum. O. and A.'s first Master Calendar Hearing is on May 20, 2021. M.'s merits hearing is on May 2, 2022. M., O. and A. speak Spanish and live in Chicago, Illinois. (20-0141496) (20-0142097) (20-0142098)**

M.'s ex-partner, who is also the father of her children, is a gang member in El Salvador. He is currently in prison in El Salvador after being charged with committing several homicides. However, because he continues to be involved with the gang, he regularly communicates with other gang members in and out of prison. Other members of his gang stalked and threatened M. frequently, and later kidnapped her two small children. Gang members told M. that her children belonged to the gang because their father was a gang member, and that M. belonged to her ex-partner. After multiple death threats and renewed threats of kidnapping, M. fled to the United States in 2018. Her children arrived to the United States as Unaccompanied Immigrant Children (UICs) in 2019. M. timely filed her *application* for asylum with the immigration court in 2019. All affidavits and supporting documentation to M.'s case will be due 15 days prior to her individual merits hearing in 2022. Because O. and A. entered the United States as UICs, USCIS retains initial jurisdiction over their applications for asylum, even though they are also in removal proceedings. NIJC filed O. and A.'s applications for asylum with USCIS in September 2020. Because these applications were filed more than one year after O. and A. entered the United States, their *pro bono* attorneys will have to argue that they merit an exception to the one-year filing requirement for asylum eligibility. NIJC will assist them in making this argument. All affidavits and supporting documentation to O. and A.'s case will be due one week prior to their interview at the asylum office, which could occur 4-6 weeks after the date of filing.

**51. 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.

**52. 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.

**53. 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.

**54. 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.

***55. 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.*

***56. S. is a 17-year-old girl from Honduras who turns 18 in May 2021. She speaks Spanish and lives with her mother in Chicago (Cook County). (20-0143903) \*Urgent\****

S.'s father left S and her mother in Honduras when she was very young to come to the United States, after their family began to receive threats based on S's father's job as a police officer. S. and her mother followed him to the United States in 2014. S.'s mother and father separated in 2015 and S.'s father has not had contact with S. or her mother since that time. He has not provided any financial, emotional, or other support since 2015. S.'s mother does not know where S.'s father is, though she believes him to still be in the United States. The pro bono attorney will need to file an allocation of parental responsibility/custody case seeking a finding that S.'s reunification with her father is not viable due to abandonment, and that it is not in S.'s best interest to return to Honduras. This order must be obtained prior to S.'s 18th birthday in May 2021.

***57. W. is a 17-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.

***58. 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.

***59. 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.

***60. 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 United States 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 United States 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.

***61. 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.

## **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! Take Note of Critical Changes to Asylum Regulations and USCIS Fees**

During the past few months, there have been multiple regulatory changes related to USCIS fees, asylum employment authorization eligibility, and the bars to asylum. Some of these changes have been enjoined. For more information, please review NIJC's [Immigration Procedural Updates page](#) and contact your NIJC point-of-contact for any client-specific questions.

### **Justice & Java: We The People – Community Stories of Resilience and Justice**

Join NIJC on December 10, 2020 as we celebrate International Human Rights Day with stories of strength and resilience from NIJC clients, community partners, pro bono attorneys, and staff. Register [here](#).