

April 27, 2021

## **NIJC Pro Bono Case List: 32 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.

### ➤ **Asylum Matters:**

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## **HOW TO GET INVOLVED**

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

- 1) [Watch a 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 Dave Faherty at [dfaherty@heartlandalliance.org](mailto:dfaherty@heartlandalliance.org).
- **LGBT** cases, contact Michelle Velazquez at [mivelazquez@heartlandalliance.org](mailto:mivelazquez@heartlandalliance.org).
- All other **asylum** cases, contact Rachel Milos at [ramilos@heartlandalliance.org](mailto:ramilos@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

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

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

**1. *Y. is a lesbian woman from Russia. She speaks English and Russian and lives in Chicago (21-0147778). \*Urgent\****

Y. has identified as a lesbian since she was a teenager. Ever since she was in high school, she started dating women. She never disclosed her sexual orientation to anyone, even her friends, because being LGBT in Russia is dangerous. Y. grew up with an abusive and controlling father. Y.'s mother separated from her father when she was a child because of the abuse. When she was 16 years old, her father became suspicious of her dating her then-girlfriend, M., because she would spend most of her days at M.'s house or sleeping over at her home. Her father would beat Y. when she came home from visiting her girlfriend and told her he will not allow her to be a lesbian. Y.'s father began spying on her or would send one of his friends to spy on her. In 2019, Y.'s father demanded that she marry a male friend of his right away. Y. stopped visiting her father after he threatened her with this news. She stayed with her mother instead and there were incidents where her father would try to forcefully take her from her mother's home. Y. applied for a J-1 visa through her university. She entered the United States on June 23, 2020. She worked as a lifeguard at Wisconsin Dells from June to September 2020. Y.'s one year filing deadline to apply for asylum is June 22, 2021. All affidavits and supporting materials in Y.'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.

**2. *J. is a bisexual man from Saudi Arabia. He speaks English and Arabic and lives in Chicago, Illinois. (21-0146815).***

Growing up in Saudi Arabia, J. knew he was attracted to men, but he never told anyone or acted on it because it was taboo in his family. He presented more feminine, and his family and peers often gossiped about his perceived sexual orientation. He was also bullied and sexually harassed at school. When he was 9 or 10 years old, he was sexually abused by an older man in his family. J.'s family is very religious and he felt tension about religion because of his sexual orientation. He often tried to skip prayers, but his family would punish him. When J. refused to marry his female cousin, his family became more suspicious of his sexual orientation. J. entered the U.S. in October 2017 on an F1 visa. J. is afraid to return to Saudi Arabia because he believes that as an unmarried man, people would suspect that he is not straight. He is also opposed to the Saudi government, and fears violence and political repression. In 2017, he attended a conference with Jamal Khashoggi, the journalist who was later ordered to be killed by the Saudi Crown Prince. Since Mr. Khashoggi's murder, J. decided not to return to Saudi Arabia. He is afraid of sharing any political opinions on social media or in text messages because he believes the Saudi government could punish him. J.'s F1 visa expires in spring 2022. All affidavits and supporting

materials in J.'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.

- 3. A. is a gay man who was born in Saudi Arabia and is an Indian national. A. lives in Chicago and speaks English. His merits hearing is scheduled for February 1, 2022. (20-0141472)***

A. was born in Saudi Arabia, and lived most of his life there. He began realizing his sexual orientation as a teenager. He lived in a very conservative society, so was not able to be open and out. He left Saudi Arabia and went to India in 2011. While there, he faced verbal harassment and threats. He applied for a tourist visa to get away. A. most recently entered the U.S. in 2012. He was on F-1 status for a short time, but fell out of status before applying for asylum. He applied for asylum in 2016, but the Asylum Office referred him to EOIR without an interview. He was granted continuances in his removal proceedings since 2017, and now has his merits hearing scheduled for February 1, 2022. A. has not met his one-year filing deadline, but may be eligible for an exception due to changed personal circumstances or mental health. He filed his asylum application on July 18, 2016. His affidavit and other supporting documents will be due 30 days prior to his Individual Hearing, which is scheduled for February 1, 2022.

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

*Although many adjudicators have historically believed that the case law regarding domestic violence and gender violence-based asylum claims was unclear, these claims have a strong legal foundation, particularly in the Seventh Circuit, even after an Attorney General decision attempted to undermine them. NIJC has been involved in federal litigation regarding gender-based asylum claims and attorneys who handle these cases will have access to a wealth of resources that will help them prepare strong cases for their clients.*

- 4. 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 with the court, USCIS retains initial jurisdiction over their applications 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 deadline 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. and D.'s interview at the asylum office, which could occur at any time in the coming months, unless their NTAs are filed with the immigration court.

- 5. 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 with USCIS in May 2017. Affidavits and other supporting documents will be due one week prior to her interview at the asylum office. The date of the interview is uncertain at this time.

- 6. 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. They are currently awaiting the scheduling of their merits 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 30 days prior to their merits hearing, which has not yet been scheduled.

- 7. H. is a woman from Nigeria. Her husband, D., and their three children, will be derivatives on her application for asylum and are also independently eligible for asylum. Their first Master Calendar hearing is scheduled for May 20, 2021. H. and her family speak English and Yoruba and live in Central Indiana. (20-0145257) (20-0144688) (21-0145523) (21-0145524) (21-0145525)**

H. and her husband, D., have been practicing Christians for over 30 years and have held senior leadership positions within their church for some time. H. and her husband both adamantly

oppose the spiritual practices of their family ethnic group, which include fertility rituals, female circumcision, and the worship of idols. Because of their opposition, H. and her family members suffered physical attacks and ongoing threats from family elders. They relocated to Lagos in order to avoid further harm, but were unable to live there safely. In 2010, a group of elders forced their way into H.'s home and beat her with sticks. H. was badly bruised all over her body and was hospitalized for over a month; this attack resulted in the stillbirth of her child. In 2014, family elders began to demand that H. and her husband submit their daughter, K., to them for female circumcision. When they refused, the elders began threatening to kidnap H. and D.'s children and kill H. and D. if they did not comply. H. and her family fled to the United States in 2019 and filed for asylum with the USCIS asylum office, but USCIS referred their applications to the immigration court for further review. All affidavits and supporting materials to their case will be due 30 days prior to their individual merits hearing, which has not yet been scheduled.

**8. *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, but 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. K. is otherwise eligible for withholding of removal and relief under the Convention Against Torture. All affidavits and supporting materials to K.'s case will be due 30 days prior to her individual merits hearing in 2023.

**Asylum: Based on Political Opinion, Religious Beliefs, or Opposition to Criminal Organizations**

*Asylum claims based on political opinion or religious beliefs 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.*

**9. *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 of it and police even tried to blame L. for 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 30 days prior to his individual merits hearing, which has not yet been scheduled.

***10. F. is a man from Somalia. His next Master Calendar hearing is on June 9, 2021. F. lives in Chicago and speaks Somali. (20-0145316)***

When F. returned to Somalia after studying at a university in Ethiopia, Al-Shabaab repeatedly threatened him and accused of being an infidel and a spy. Even after F. tried to relocate, Al-Shabaab found him and continued to threaten his life. An immigration judge previously granted F. withholding of removal while he was detained and pro se, but denied him asylum as a matter of discretion solely because the judge disliked the fact that F. had traveled through multiple countries before reaching the United States. After F. appealed the asylum denial to the Board of Immigration Appeals (BIA), the BIA granted the appeal and remanded to allow the court to conduct further fact-finding on the discretionary determination. Because the government did not appeal the withholding grant, that decision is not at issue on remand. With asylum, F. will have a path to citizenship in the United States, but with only a grant of withholding, he will not be able to obtain permanent status. F.'s attorneys will need to prepare additional evidence to support a positive discretionary grant prior to his merits hearing, which has not yet been scheduled.

***11. 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. R., S., and A. are currently awaiting the rescheduling of their Master Calendar hearing. R.'s husband, J. and their son, P., entered the United States separately. The entire family speaks Spanish and lives in a northern suburb of Chicago, Illinois. (20-0145270) (20-0145273)(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 robbed R.'s husband, J., ultimately forcing him to flee the country with their son, P. 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 attempted 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, S. and A. NIJC filed R., S., and A.'s applications for asylum with the immigration court in August 2020. J. and P. are not yet in proceedings before the immigration court, so NIJC filed their

asylum applications with USCIS on January 7, 2021. Because the family's 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 eligibility. NIJC will assist them in making that argument. All affidavits and supporting documents to R., S., and A.'s case will be due 30 days prior to their individual merits hearing, which has not yet been scheduled. J. and P.'s affidavits and other supporting documents will be due one week prior to their interview at the asylum office. The timeline for this interview is uncertain.

***12. 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. They are awaiting a new Master Calendar hearing date. 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 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. All affidavits and supporting materials will be due 30 days prior to their individual merits hearing, which has not yet been scheduled.

***13. B. is a man from Guatemala. He is currently awaiting the rescheduling of his next Master Calendar Hearing. 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 30 days prior to his individual hearing, which has not yet been scheduled.

***14. 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 30 days prior to their individual merits hearing, which has not yet been scheduled.

***15. 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. R. 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. Cartel members then 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.

***16. 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 they are 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 the 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 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 jurisdiction over their applications for asylum. NIJC timely filed 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.

***17. 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. Around 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 continued to stalk and threatened them. Around 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 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 applications 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.

***18. 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 her son 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 30 days prior to their individual merits hearing, which has not yet been scheduled.

***19. 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. Their***

***next Master Calendar hearing is scheduled for June 16, 2021. F. 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. NIJC timely filed their applications for asylum. All documentation to F., C., T., and R.'s cases will be due 30 days prior to their individual merits hearing, which has not yet been scheduled.

***20. 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 Mara 18 (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 L. on the street and tried to hit him. His companion told him to stop, but the next day, the gang member went to L.'s home, flashed his gun, and told L. to leave by morning or he would kill him. L. left Guatemala immediately and entered the United States. 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 30 days prior to his individual merits hearing in 2022.

***21. 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 L.'s store. Not wanting to support the gang, L. 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 the gang 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 30 days prior to their individual merits hearing in 2023.

**22. J. is a young man from Honduras. His merits hearing is on 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 30 days prior to his individual merits hearing in 2023.

**23. 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. J.'s daughter's boyfriend is a Mara 18 gang member. When J. came to the United States, B. was left alone to run the business. Soon after, Mara 18 gang members took control of B.'s 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 they merit 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 30 days prior to their merits hearing in 2023.

**24. 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 in March 2017, fearing that the gang would force him to participate in worse activities or kill him if he refused. Upon his entry into the United States, 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 so P. is not yet in removal proceedings. Unless and until DHS files the NTA with the court, USCIS maintains jurisdiction over P.'s asylum application. NIJC filed P.'s asylum application, but because it was filed more than a year after he entered the United States, P.'s pro bono attorneys will need to argue that he merits an exception to the one-year filing deadline. NIJC will assist his pro bono attorneys in making that argument. P.'s 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.

***25. M. is a man from Ecuador. He is currently awaiting the rescheduling of his next Master Calendar hearing date. M. speaks Spanish and lives in Chicago. (20-0145604)***

M. owned a small business in Ecuador where people could pay to use computers and printers. His shop was located near the local market where corrupt police officers frequently forced vendors to pay them in order to sell there. Around August of 2018, two officers left behind a flash drive after using computers in M.'s store. After they left, M. opened the flash drive and discovered evidence of the overcharging of market vendors. When the officers came back to retrieve the flash drive, they warned M. that he would have problems if he had looked at the contents of the flash drive and spoke out against them. Afterwards, M. began to receive threats from the police and a gang affiliated with the police. Around January of 2019, gang members kidnapped M. and took him to a remote location where they beat him and took his money. After this incident, M. fled the country, but people continued to come to his shop looking for him and threatened to harm his girlfriend and daughter, which led them to flee as well. NIJC plans to file M.'s asylum application with the immigration court in April 2021. Although M. is past his one-year filing deadline, he merits an exception to the deadline and NIJC will assist his attorneys in making this argument. All affidavits and supporting materials to M.'s case will be due 30 days prior to his individual merits hearing, which has not yet been scheduled.

***26. J. is a man from El Salvador. His son, D., is a derivative on J.'s application for asylum and also has an independent claim. They are awaiting the rescheduling of their next Master Calendar Hearing. J. and D. speak Spanish and live in Indianapolis. (20-0143863) (20-0143876)***

J. owned a car painting business in El Salvador. Soon after he opened his business, members of the Mara Salvatrucha (MS-13) gang began demanding that he pay them every couple of weeks. They threatened to kill him and his family if he did not obey. J. paid the MS-13 on a regular basis for almost eight years, but it became more difficult over time to make the payments. At some point, J. told MS-13 members that he would have to stop paying them. Around this time, J.'s son, D., and his stepdaughter, A., were walking home when a man attempted to kidnap them. J. closed his business and he and his son D. fled to the United States. J. timely filed his asylum application with the immigration court in July of 2020. All affidavits and supporting materials to their case will be due 30 days prior to their individual merits hearing, which has not yet been scheduled.

***27. V. is a woman from Honduras. Her children: L., C., and T. are derivatives on her application for asylum and are also independently eligible for asylum. The family***

*speaks Spanish and live in Chicago, Illinois. (20-0143706) (20-0145599) (20-0145601) (21-0145598)*

V.'s former partner, K., is a gang member in Honduras. During their relationship, he physically and sexually K., tried to force her to have an abortion, and threatened to kill her if she ever left him. He also abused V's children and tried to force her son to join his gang by threatening to kill V. and her children if he refused. Gang members also attempted to extort V. by threatening to kill her and her children if she refused. V. and her daughters fled to the United States in late 2018. NIJC filed V., C., and T.'s applications for asylum with the immigration court, but because their applications were filed more than one year after they entered the United States, their pro bono attorneys will need to argue that V., C., and T. merit an exception to the one-year filing deadline. NIJC will assist them in making this argument. All affidavits and supporting materials to their case will be due 30 days prior to their individual merits hearing, which has not yet been scheduled. L. entered the United States as an unaccompanied child and his case is therefore in a different procedural posture. NIJC filed his asylum application with USCIS and he was interviewed at the asylum office in February 2021. He is currently awaiting a decision, but if his case is referred to the immigration court, it can be consolidated with the case of his mother.

***28. T. is a woman from Honduras. Her daughter, S., is a derivative on her application and is also independently eligible for asylum. They are currently awaiting the rescheduling of their Master Calendar Hearing. T. and S. speak Spanish and live in Northcentral Indiana. (20-0143517) (20-0143534)***

As a child, T. was sexually abused by her uncle. This same uncle later attempted to sexually abuse T.'s daughter, S. T. married S.'s father, X., in 2010. After they moved in together, X. physically, sexually and psychologically abused T. After S. was born, X. abused S. too, beating her with a belt and his hands. X. transported drugs for the MS-13 gang. In 2017, T. and S. moved to T.'s mom's house after X. beat S. so badly that she needed stitches. X. sent gang members to watch T. and track her movements. Under pressure from his family, X. agreed to a divorce, but warned T. that she was still his woman, that he would never let her leave, and that he would take S. from her if she ever remarried. T. reported the abuse to the police, but received no protection. T. and S. fled Honduras in 2019. NIJC filed T. and S.'s applications for asylum with the immigration court in August 2020. Because these applications were filed more than one year after T. 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. NIJC will assist them in making this argument. All affidavits and supporting materials for T. and S.'s case will be due 30 days prior to their individual hearing, which has not yet been scheduled.

## **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.*

***29. B. is a 14-year-old girl from Mexico who speaks Spanish and lives with her mother in Northwest Illinois (Whiteside County). (20-0145327)***

B.'s father came to the United States from Mexico in 2018, and has not supported B. since that time. The family believes he lives in California, but his contact with B. has been minimal, and he has provided no financial or other support. B.'s mother came to the United States shortly thereafter, and B. remained in Mexico with her maternal aunts. Due to threats against the family in Mexico, B. also fled to the United States in 2019, and now lives with her mother in Illinois. A pro bono attorney will need to file a petition on behalf of B.'s mother seeking sole allocation of parental responsibilities for B., and obtain an order finding that B.'s reunification with her father is not viable due to abandonment, and that it is not in B.'s best interest to return to Mexico.

***30. J. is a 12-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 from 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.

***31. 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.

## U VISA

- 32. *Y. is a woman from El Salvador. Y. speaks Spanish and resides southwest of Chicago. Y. qualifies for a U visa because she was the victim of domestic violence. Y. will require a waiver of inadmissibility. Y.'s U visa must be received by USCIS on or before August 3, 2021. (21-0146724)***

Y. was the victim of domestic violence by her ex-partner and father of her children. On August 5, 2018, Y.'s ex-partner, while intoxicated, verbally and physically assaulted Y. He grabbed Y. by the hair and pulled a large clump of her hair out of her head, pushed her and attempted to throw a glass at her. Y.'s children were at home and witnessed the domestic battery incident. Y. was cooperative with police and Y.'s ex-partner was arrested and charged. Y. testified against her ex-partner in court and he was convicted. Y. has been attending therapy to process the traumatic incident. Y. hopes to remain in the United States and move forward with her two young U.S. citizen children.

## **NIJC Announcements**

Have any recent changes in immigration laws or procedures affected your case? Bookmark NIJC's [Immigration Procedural Update](#) page and check it frequently for news that may impact your pro bono case.