



Immigration Clinic Director's Note

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(From Left) Magda Gonzalez, Charlotte Simon, Professor Geoffrey Hoffman, Andrea Boulares at the Supreme Court

The UH Clinic was honored to work on the Supreme Court case of Jose Carachuri, a long-time clinic client. Three students (identified to the left) travelled to Washington D.C. for the oral argument. Thanks to the Dean's Office for supporting the trip and providing a great learning experience. The oral argument went well. My colleagues, Supervising Attorneys Diana Velardo and Janet

Beck, continue to be proud of our students' successes. Additionally, this summer the Clinic has two excellent Joe Vail Summer Fellows who will be conducting "know your rights" presentations and other important outreach events for the community, as well as seeing clients for intake consultations. They are both licensed attorneys, Sandra Gastañaduy-Collison and Veronica Tunitsky, and both past UH Immigration Clinic students.

Federal Mandamus Case Successful as 5 Children are Granted Asylee-Relative Status

After waiting for over 3 and one-half years with no results, our clinic client, an asylee and mother of 5 children from Cameroon, was desperate to have her children join her in the United States. The Clinic had tried for several years to get her five I-730s (refugee/asylee relative petitions) approved. With no action taken on the case, Professor Hoffman and student [Charlotte Simon](#) filed a mandamus complaint in U.S. District Court, where the case was assigned to Hon. David Hittner. The UH Clinic negotiated with government attorneys and our client was granted an interview after about one month following the filing of the federal complaint. Shortly after the interview, the client was notified her five children's petitions were approved. She will now be able to bring them to the United States to join her. The Clinic continues representation before the U.S. Department of State for consular processing.



Asylum Granted by U.S. Citizenship and Immigration Services for Ethiopian Clinic Client

Students [Juliana Kerker](#) and [Makiko Yamasaki](#) won asylum for an Ethiopian man of Eritrean descent. The interview by USCIS was granted within one month of filing the asylum application. Before a decision was made, however, the Ethiopian man was visited at his home by Immigration and Customs Enforcement (ICE) agents who were there to detain him because he was out of status. They had not been advised of his pending asylum application. He was not detained due to the fact that his asylum was pending. Excellent work by Juliana and Makiko!



Colombian Asylum Case Granted By Immigration Judge (Appeal Pending)



This semester the Clinic and student attorneys [Charlotte Simon](#) and [Juan Lopez](#) had a victory in a very difficult asylum case involving persecution by the FARC in Colombia. The students wrote motions, researched and wrote briefs on the legal issues involved in the case, organized and filed exhibits, prepared the testimony of expert witnesses and went to immigration court several times, including representing the clients at trial. They did direct examination (and re-direct) of our clients, as well as closing arguments. The students were supervised by Clinical Supervising Attorney Janet Beck. The Department of Homeland Security (DHS) appealed the court's decision. The appeal is currently pending in the Board of Immigration Appeals. Professor Hoffman will be handling the appeal along with clinic students

next semester. After the appeal was filed by DHS, it became apparent that not all tapes of the proceedings were forwarded to the Board for review. Therefore, Professor Hoffman moved to suspend briefing until an accurate record can be made. The Board has now suspended the briefing schedule pending re-transcription of the record.

OTHER CASES

Clinic Wins Appeal before the Board of Immigration Appeals

This spring the Clinic won an appeal before the Board of Immigration Appeals for a lawful permanent resident who had entered the U.S. as a refugee 25 years ago. He was detained at the Houston detention facility near Bush Intercontinental Airport because he had committed criminal offenses. He had several equities such as a U.S. citizen sister and U.S. citizen children. He was a *pro se* applicant at his immigration trial where he applied for Cancellation of Removal. Upon winning his appeal, he was finally released after having spent, approximately, one year in detention.



Students Win Cancellation of Removal For Single Parent



Past UH Clinic students [Amy Tellez](#) and [Celina Moreno](#) waited 10 months for a decision from the Immigration Judge but it was worth the wait. The Immigration Judge granted permanent resident/green card status, via an application for Cancellation of Removal, to an undocumented father, a single parent, who supports and cares for a special needs child. The client had DWI convictions several years ago but when the Immigration Judge weighed the equities versus the adverse factors, he exercised his discretion in favor of our client.

Clinic Student Successfully Represents Client in Naturalization Proceedings

Clinic student [Daniel Baldree](#) successfully represented a client who had filed for naturalization/citizenship with U.S. Citizenship and Immigration Services (CIS). The student met with the client, obtained the necessary documents, assisted her with the U.S. history and government questions that she would need to answer at her CIS interview. At the interview, he answered questions posed to him by the CIS officer and sat with the client during the interview and afterwards until she was given her swearing-in notice for a hearing to be conducted by a federal District Judge the next month.



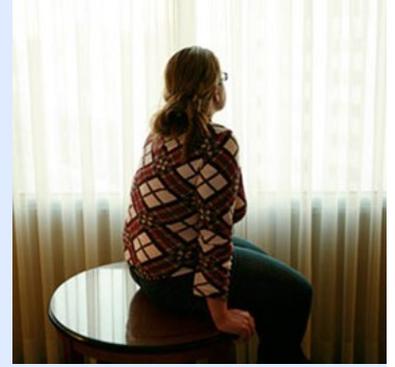
Students Help Paralyzed Victim of Crime

The young man was working a late shift when he was attacked during a robbery and shot in the back. He was paralyzed from the waist down as a result of the crime. The company he worked for tried to scare him when he tried to ask for medical expenses because he was undocumented. The clinic stepped in and clinic student [Lisa Evans](#) discussed his options with the personal injury attorney and moved forward in applying for the victim and his wife's U visa, their 3-month old son was a citizen. The victim's wife had a very complicated immigration history and the students spent countless hours discussing and collecting evidence to support a waiver on behalf of the victim's wife. Immigration agreed and granted both a U visa.



Clinic Helps Victim of Crime Get a U-Visa

The Clinic represented an undocumented young mother of two children who successfully obtained a U visa as a victim of a crime. The young mother was shot in the head by her abusive boyfriend. He dumped her body and left her for dead near a dumpster. The client was in the hospital for several months. As a result of the attack, the victim lost sight in both eyes, lost her ability to remember and was partially paralyzed. The family helped the police capture the perpetrator. Clinic students [Daniel Baldree](#) and [James Suerken](#) spent countless hours interviewing family members and the victim trying to establish a strong case and create the perfect statement. The clinic was successful in obtaining a U visa for the mother and her young daughter.



Students Help Mother and Son Find Their Legal Status

The client was a scared young woman from an Asian country who had come to the USA as a refugee. Her marriage had turned very violent and she was desperate to find help for herself and her child. She came to our clinic and the clinic discovered that the young victim and her child had been admitted to the country mistakenly as a legal permanent resident instead of a refugee. At the same time, the victim's husband had filed an application for her green card without regard to her manner of entry.



The husband beat the victim, threatened her and their son with a knife and made her life miserable. The abuser did not inform the victim of her legal status. The Clinic spent several months attempting to ascertain what the client's legal status was and what she needed to do to get away from the abuse. The students filed a self-petition for the young woman as a victim of domestic violence and included her young child.

The victim's application was approved, but the child was not included in the approval notice as is customary. The clinic did some creative assessment and decided that USCIS had probably purposely left the child out of the mother's approval notice because the child was probably

a legal permanent resident already. After a lot of work, the clinic was able to confirm the child's status and help the mother in her quest to find answers for both herself and her child, since the abuser destroyed all the immigration paperwork.

Students Help Troubled Juvenile Get U-Visa

The young woman came to the clinic full of bruises and shaking. Her husband had threatened to kill her if she dared tell anyone about the years of beatings she had suffered. The clinic recommended a shelter for the client and advised her of the documents to get if she was safe to do so. She was the mother of two young children and scared to death. She was able to obtain a protective order and the clinic students assisted her in filing for her U visa. During the time the students were preparing her case, the client's child got involved with the wrong crowd and got caught up in juvenile court. The child was upset about the current marital conflict and was acting out. The clinic worked closely with the criminal attorney to



find a resolution that would not affect the juvenile's immigration application. The criminal attorney was successful in dismissing the case of the child instead of entering a plea bargain that appeared advantageous for juvenile purposes but could be costly for immigration consequences. The victim and her children were granted their U visas and are able to move on without the abuser.

Clinic Students Win Adjustment of Status Before Immigration Judge

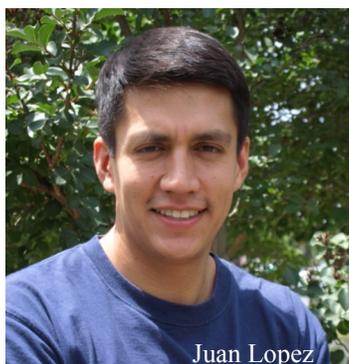
The client was a woman in her late 50's who had endured over 20 years of physical, emotional and sexual abuse by her husband. The client's case was very complicated as she already had an outstanding deportation order and a denied motion to reopen filed by a previous attorney. The client had also suffered the tragic loss of a child that was killed in front of her. She was severely depressed but had to care for her child's orphaned children. The clinic was first successful in getting the client's self-petition approved, then the students were successful in getting the Board of Immigration Appeals to reopen the deportation proceedings, then finally the students represented the client in court seeking to get her green card. At the trial, the government counsel brought some surprising arguments claiming incorrectly that our client did not qualify for the relief she was seeking. Clinic students [Daniel Baldree](#), [Rafael de la Garza](#) and [Jonathan Kesler](#) did an amazing job convincing the judge that the government's position was unfounded. Finally, the client was awarded her legal permanent residency after trying for over 25 years to legalize her status.



STUDENT AWARDS

The UH Immigration Clinic presented two awards this year at the end of Spring semester. The two students identified below exemplified Clinic Founder Joseph A. Vail's commitment to excellence, advocacy and the immigrant community.

Joseph A. Vail Memorial Scholarship Award



Juan Lopez

Immigration Clinic II student [Juan Lopez's](#) service to the Clinic was unparalleled during his two semesters this year. He was a great resource not only for his clients but for

other students. In addition to his other cases, he worked with Professor Beck and co-counsel [Charlotte Simon](#) on the Colombian FARC case where they won the family asylum. He also worked with Professor Velardo and helped a U.S. citizen soldier petition for his mother who had been trying to gain permanent residency for the past 20 years. Finally he was successful in obtaining a U-visa for a quadriplegic client.

Clinical Legal Education Association Award



Charlotte Simon

Each year the entire Clinical faculty selects one student who has shown academic excellence and a profound commitment to clinic clients. Immigration Clinic II student

[Charlotte Simon](#) epitomized these qualifications and was unanimously selected for the Clinic Legal Education Association (CLEA) award. With Professor Hoffman she filed a mandamus complaint in federal court winning refugee/asylee petitions for five children. In addition, she worked among other cases on a Supreme Court case, a federal circuit Court of Appeals case, and travelled to a detention center to assist a detained client.

Clinic Professor Diana Velardo Shares Knowledge With the Community

Immigration Clinic Professor Diana Velardo presented at a CLE Training for Pro Bono Attorneys on “U Visas and Issues relating to Immigration relief for Crime Victims”. The Pro-Bono Training was organized by Boat People SOS and YMCA and it was attended by over 70 attorneys interested in aiding victims of crimes on a pro bono basis.

This spring, Diana also hosted the U.S. State Department Delegation on Human Trafficking from the Republic of Kosovo, a program that brings together scholars from different countries to discuss effective solutions in the eradication of global human slavery. The delegates who chose to visit the UH Immigration Clinical Program were members of Parliament, Chiefs of Police and Professors.

Diana was also a presenter at the Domestic Violence and Human Trafficking Law Enforcement Response Training spearheaded by the U.S. Attorney’s office of the Southern District of Texas and Family Time Foundation, where she taught an audience of over 100 law enforcement personnel the intricacies of immigration law in relation to victims of domestic violence, crimes, human trafficking, abused children, and persecuted individuals.

Professor Velardo was the guest Lecturer at Baylor College of Medicine presenting on Important Issues Faced by Medical Personnel in Dealing with Victims of Sex Slavery. The Lecture is part of the Human Sexuality course at Baylor College of Medicine.



Diana Velardo

IRA KURZBAN DONATES IMMIGRATION SOURCEBOOKS TO UH CLINIC



Ira J. Kurzban, Esq.

Thanks and kudos to author and Immigration Guru [Ira J. Kurzban, Esq.](#), the author of [Kurzban’s Immigration Law Sourcebook](#) (11th ed. 2008), soon to be in its 12th edition, who has graciously donated several copies of his [Sourcebook](#) to the University of Houston Immigration Clinic. The book is published by the American Immigration Law Foundation. Mr. Kurzban’s book is used by numerous immigration practitioners, government attorneys, as well as immigration judges throughout the nation.

SPRING 2010 IMMIGRATION CLINIC PICTURE (SHOWN ON PAGE 1)

(Front row from left) Professor Geoffrey Hoffman, Professor Diana Velardo, Makiko Yamasaki, Magda Gonzalez, Heather Hunt, Juliana Kerker, Daniel Busch, Whitney Larkin, Professor Janet Beck, Anand Verma

(Back row from left) George Dginchvelashvili, Benjamin Hamilton, Rafael Martinez, Lisa Stewart, Andrea Boulares, Mohamed Djenabou, Daniel Baldree, James Suerken

(Not Pictured) Juan Lopez, Charlotte Simon, Jessica Gooch

