



Family Unity Waiver Cases

January 2012

The Obama Administration has recently announced that it will start allowing spouses and children of U.S. citizens, who are eligible for legal status, to apply for family unity waivers in the United States. Many U.S. citizen family members currently have to travel to one of the most dangerous cities in the world, Ciudad Juárez, apply for their waiver there, and remain there while awaiting a decision. Under the new process, these family members will still have to travel to their home country consulate to complete their visa processing, but they will not be forced to wait for weeks or months, as they currently do, for the decision on their waiver application. Below are stories compiled by America's Voice Education Fund from colleagues and press reports, profiling families across the country who have endured the hardships of the visa waiver system and illustrate the need for stateside processing of the family unity waiver. For more information, please contact Pili Tobar at ptobar@americasvoiceonline.org.

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Alabama

Ramón* (*alias*)

Wife has to work 16-hour days to support the family because husband can’t get work without legal status

Ramón is an undocumented immigrant who is married to a U.S. citizen. He is eligible for a green card through his wife, but has not applied for permanent resident status because he fears being separated from his family while waiting for a decision on a family unity waiver. Ramón feels “impotent” not being able to provide for his U.S. citizen wife and native-born U.S. citizen daughter. With the new DHS stateside processing, Ramón will be able to apply for a waiver here in the United States without being separated from his family, then travel to complete his visa processing and quickly return to the U.S. where he will eventually be able to work again and contribute to his family.

Ramón’s story was initially reported in a column by Maribel Hastings:

http://americasvoiceonline.org/blog/entry/even_after_temporary_stay_of_hb_56_provisions_it_still_the_same/ An interview with Ramón is available here:

http://www.youtube.com/watch?v=mnTPcli-jmM&feature=player_embedded

California

Denise

Wife of a Navy vet who has been deployed to Afghanistan

Denise is an undocumented immigrant who is married to a U.S. citizen who is overseas serving in the Navy. She is eligible for legal status through her husband. Her husband has filed for a visa for her, but the 10-year bar would be triggered if she left the U.S. to pick it up. Even if she had applied for a waiver, she would be separated from her family while her husband is serving our nation overseas. Now, under the new DHS stateside processing rules, she will be able to apply for a waiver and have it adjudicated without having to abandon her six- and eight-year-old children. Once her waiver is approved, she would only have to schedule a short trip to Mexico to complete her visa processing.

Denise came to the United States in 1999 when she was 17 years old. She worked in the fields in California picking peppers, onions, and celery in order to support herself and her mother in Mexico.

She has two small U.S. citizen children, a girl and a boy, six and eight years old respectively. Her husband is currently serving in the U.S. Navy and has served for the past 12 years. He has been stationed in Iraq and will be deployed to Afghanistan in June. Denise's husband has filed a petition on her behalf but the 10-year bar will be triggered when she leaves the U.S. to pick up her visa. Even if she applies for a waiver, she will be separated from her family while her husband is serving our nation overseas.

Denise lives in fear because she has no sense of security or certainty for herself or her children. She fears that she will take them to school one day and she will be detained without anyone to pick up them up. Her husband fears that something will happen while he is serving his country and he will not be able to do anything to help her and their children.

Denise's husband risks his life to protect the United States of America so that he and his family can have a better life, so that all American families have a peaceful life. Instead, he lives in anguish, terrorized that his family will be separated due to current immigration laws.

Rosa

U.S. citizen husband was so devastated by separation that he committed suicide

Rosa is an undocumented immigrant whose U.S. citizen husband, Matthew, got her a visa. However, when she left the country to pick up her visa, she triggered the ten-year bar. Matthew was devastated by the separation. He communicated with her through love letters

and, two months after the last letter, Matthew took his own life. Matthew's death left Rosa to raise their unborn child on her own and left their daughter without a father. If Rosa had been able to stay in the United States to apply for a waiver, she would have been able to get the visa that was waiting for her without tearing her family apart, and this tragedy would have been avoided.

Rosa came to the United States thirteen years ago with the intention to stay for a brief period of time to work and save money before returning to Mexico. However, after only two months in the U.S., Rosa fell in love with Matthew, a U.S. citizen. After two years of dating, they decided to get married and Rosa soon became pregnant.

Frances Barrios

Wife of an Iraq vet suffering from PTSD

Frances Barrios is an undocumented immigrant married to a U.S. citizen and Iraq war veteran. After being arrested and placed in removal proceedings, Frances was eventually granted humanitarian parole in order to take care of her husband, who suffers from PTSD, and her family. If the new policy had been in place when Frances and her husband were married, she would have been able to get the legal status she was eligible for without leaving him for a lengthy period of time, and the family would not have had to endure the long legal struggle for relief.

The following is an excerpt from an article that ran in the L.A. Times on November 6, 2009. The original article can be found here: <http://articles.latimes.com/2009/nov/06/local/me-immig6>

The U.S. government has cleared a pathway to citizenship for the illegal immigrant wife of an Iraq war veteran suffering from post-traumatic stress, the family's attorney said Thursday.

Army Spc. Jack Barrios, a 26-year-old Los Angeles native who still experiences nightmares and depression after a yearlong tour of duty in Iraq, had faced the collapse of his family after his wife, Frances, was placed in removal proceedings. Frances, a 23-year-old Guatemala native, was illegally brought to the United States at age 6 by her mother but grew up in Van Nuys, where the couple live with their two young children.

But the uncertainty ended Thursday when family attorney Jessica Dominguez delivered the good news: U.S. immigration officials have extended humanitarian parole to Frances, allowing her to stay here and apply for a green card....

When she was informed of the news, Frances' eyes filled with tears as she slumped onto her husband's shoulder.

"Oh, my, God, thank you so much," she said.

Her attorney smiled and said: "You get to stay here to take care of Jack and your children."

Chris Bentley, a press secretary with U.S. Citizenship and Immigration Services, said the agency was sympathetic and had worked with the family to find a "reasonable remedy."

The Barriosos' plight had attracted national attention as an example of the immigration problems suffered by hundreds of U.S. soldiers.

Jack Barrios said his wife was the family's anchor, caring for his 1-year-old daughter and 3-year-old son while he worked 15-hour days at two jobs, and helping him battle his post-traumatic stress.

"She's my everything," he told The Times last month.

On Thursday, he was all smiles. "I feel joy. We're going back to a normal life," he said.

Colorado

Tania Marlowe-Reyes

U.S. citizen went to Juarez to protect his pregnant wife, and was killed

Tania Marlowe-Reyes is an undocumented immigrant who was married to a U.S. citizen, Jake. She went to Juárez to apply for her waiver, so that she could apply for legal status as Jake's wife. Jake moved to Juárez to be with and protect his pregnant wife, even though he spoke no Spanish. While in Juárez, however, Jake was killed by a group of cartel members—leaving Tania pregnant and alone in Mexico with no way of getting to the United States. If Tania had been able to apply for her waiver without leaving Colorado, Jake would still be alive today.

The following is an excerpt from a story that ran on *Forbes* magazine's website in April 2011. The original article can be found here:

<http://www.forbes.com/sites/oshadavidson/2011/04/07/a-death-in-juarez-how-u-s-immigration-policy-is-tearing-american-families-apart/8/>

Jake Marlowe Reyes-Neal didn't make it.

The 21-year-old American from Aurora, Colorado, was killed in Juárez one week ago, after moving there to protect his pregnant wife. Tania Reyes-Neal was forced to move to Mexico — a place she left when she was 2-years-old — while awaiting a ruling on her

application for an immigration visa waiver. After months of separation, Jake, who didn't speak Spanish, quit a well-paying job in Colorado and moved to Juárez to be with Tania and look for work across the border in El Paso.

[According to news reports](#), Reyes-Neal was killed by cartel members, after one of them attempted to steal his truck. The man later returned with twenty cartel members carrying automatic weapons. They beat Reyes-Neal inside his house before dragging him out into the street and shooting him up to 80 times. They then stripped the house of anything of value — including all the food in the refrigerator.

It is not yet known if his widow will be allowed back into the United States.

Florida

Andy Maytum

British Royal Navy vet who could not say goodbye to his daughter as she got deployed to Japan for three years

Andy Maytum is an immigrant married to a U.S. citizen. He is eligible to apply for legal status through his wife and waive the 3- and 10-year bars, but he could not bear to leave the country and his wife to get the waiver. Because of this delay, he was arrested and placed in detention. Under the new policy, Andy would not have had to choose between leaving his wife and daughter and getting his legal status.

This is an excerpt from a post on the blog of advocacy site Change.org. The original post can be found here: <http://news.change.org/stories/wife-pleads-for-release-of-uk-veteran-who-refused-to-board-deportation-plane>

Thursday, November 3rd marked yet another month in detention for Andy Maytum, a British Royal Navy veteran married to a U.S. citizen whose daughter is serving in the U.S. Navy. But for Andy's wife Kim, who started [a petition on Change.org](#) calling for Andy's immediate release from immigration detention, last Thursday was a nightmare she is hoping to never relive.

See, Andy found himself behind bars last May because of delays in filing his immigration paperwork. Maytum had endured those months behind bars rather than departing the country he had called home for one reason: he couldn't face the prospect of being sentenced to ten years apart from Kim LaBruyere, the love of his life.

Andy met Kim in Florida, in the neighborhood pub that they later purchased together in Kissimmee. But last Thursday, everything the couple had built together threatened to

disappear. According to Andy's wife Kim, on Thursday Immigration and Customs Enforcement (ICE) officers handcuffed and waist-chained Andy and took him from Broward Transitional Center to the airport where he was to forcefully board a flight. But Andy thought of his wife thousands of miles away from him and all alone, and he made a decision. He refused to get on the plane, firmly clasping on to the airport railing, even with his hands handcuffed behind his back. Andy peacefully resisted, so he could not be put on the flight. **Now Andy finds himself behind bars again.**

“Last week was an emotional roller coaster,” Kim says. “He was polite, but he firmly refused to board the plane. Andy, the love of my life, is not a criminal. He is a loving husband and father, a Royal Navy veteran, a small business owner, and an inspiration to my daughter in the U.S. Navy. All we are asking is for our family to be given a chance.”

Recently, Kim’s daughter was deployed to Japan for three years. “He did not get to see her off because of his detainment,” she says. As the days the two were separated became longer—Andy has now been detained for 5 months—Kim decided to [start a petition on Change.org](#). The petition, which calls on Immigration and Customs Enforcement to release Andy from detention and stop his deportation, has attracted over 1,000 supporters in just a few weeks.

Hector Manuel-Maniau

Husband of an Air Force vet, he’s been in the country for 22 years and is a father of three.

Hector Manuel-Maniau is an undocumented immigrant who is married to a U.S. citizen and military veteran. He would have been eligible for legal status through his wife, but did not go through the long and risky process of leaving the country to apply for his waiver. Under the new policy, Hector would have been able to apply for legal status safely and would not have been placed at risk.

This is an article posted on the website of Orlando’s Fox affiliate. The original article can be found here: http://www.myfoxorlando.com/dpp/news/orange_news/100611-wife-distraught-as-husband-may-be-deported#ixzz1dyv580A1

She is an American citizen, a military veteran and the mother of three little kids she shares with a man who is sitting in a holding cell and could soon be deported.

Melissa McGuire-Maniau and dozens of protesters hope officials heed a recent memo from the director of Immigration and Customs Enforcement (ICE) to consider many factors before sending illegal residents packing.

Melissa's life has been turned upside-down ever since her husband, Hector Manuel Maniau, was arrested for unlawful presence. Not long after Hector met his wife on a blind date six years ago, he admitted that he could be taken away one day, but that didn't stop Melissa from falling in love.

"You marry somebody, because you love someone," she said.

That is now a reality. The 44-year-old father of three is here illegally, according to agents with ICE, and yesterday morning, he was detained.

"I wanted to vomit," Melissa said. "I... I just lost it."

Hector was seventeen when he legally entered the United States with his mother, but he became an adult before he gained citizenship as a child. Add to that, a series of legal missteps by people hired to help him, and 22 years later, he's facing deportation back to Mexico.

"He's a wonderful father," said Melissa, "hard-working as anybody that you will meet. It was like the rug got pulled out from underneath me."

Organized by the non-profit group focus, close to thirty supporters gathered on Thursday to protest hector's arrest at the Department of Homeland Security's processing center. But not long after they arrived, federal agents moved the group off property for security reasons.

"They are pushing people out of the United States, so we may as well be pushed off the property."

Melissa, a veteran of the air force, has been studying immigration law ever since that first blind date with her husband. Now, she's ready to use what she has learned to fight for her family and others.

"I hope to God I can take his case up to the Supreme Court someday, and if I'm not afforded that opportunity, then there will be other cases like my husband's that I will fight for."

Serge Golubev

Didn't find out he was undocumented until he called police to help a suicidal friend and got put in removal proceedings; detained on his way to tell his wife's family that she was pregnant

Serge did not even know he was undocumented until he called the police to help a suicidal friend, and found himself arrested and detained instead. However, since he is married to a U.S. citizen—who was pregnant with their first child when Serge was arrested—he would be eligible for legal status. Now, Serge will be able to apply for legal status without having to leave his wife and infant daughter.

This is an excerpt from a post on the blog of advocacy site Change.org. The original post can be found here: <http://news.change.org/stories/victory-serge-golubev-is-going-home-to-his-wife-before-baby-arrives>

Serge was brought to the country on a visa when he was only 11 years old. Suffering from mental illness, his mother let the documents expire before her son was placed in foster care. He didn't find out he was undocumented until he was an adult and was placed in removal proceedings after calling police to seek help for a friend who was attempting suicide.

When Serge was detained nearly 5 months ago, he and Angela were en route to Florida to share the happy news of their pregnancy with family members. Yesterday, Golubev tried to access commissary funds (temporary bank account) at a Florida detention center and noticed the account was frozen, he -- and Angela -- feared for the worst.

They braced themselves for what was surely a gut-wrenching night of no sleep, thinking that Sergey could be deported at any moment. Then in the morning, came the unbelievable news: Sergey was going home. Now, Serge is finally making the long trek back, to be with his family as they await the arrival of their daughter. He has been granted a year to continue fighting his case from home.

Illinois

Rosa Nuñez

Wife of Army Specialist Hector Nunez who triggered 10-year bar on advice of an attorney she'd consulted when husband deployed to Afghanistan

Rosa Nuñez is an undocumented immigrant who is married to a U.S. citizen and Army vet. She has a young child and a newborn, both born in the United States. She and her husband traveled to a U.S. Consulate in Mexico to apply for legal status for Rosa, unaware that her departure from the U.S. would trigger a 10-year bar to her return. Because of this mistake, Rosa found herself separated from her husband on the eve of his deployment to Afghanistan. While she ultimately won a temporary humanitarian visa, Rosa and her husband could have avoided months of trouble and separation had she been allowed to stay in the United States while

applying for a family unity waiver and then, once approved, making a brief trip back to Mexico to complete her green card processing.

This is an excerpt from a Chicago Sun-Times column. The original column can be found here: <http://www.suntimes.com/news/escalona/7255565-417/a-more-rational-deportation-policy.html> Another article about Mrs. Nuñez' case can be found here: <http://www.suntimes.com/news/escalona/6371825-452/shes-american-in-ways-that-matter-most--let-her-stay.html>

I also wrote about Rosa Nunez, the wife of U.S. citizen and Army Spec. Hector Nunez. She came to Chicago — admittedly illegally — with her parents when she was a child. Some of her siblings obtained legal status years ago, but not Rosa, who has been married to Hector Nunez for six years. They have a young child who is a U.S. citizen.

When Hector Nunez was informed he would be deployed to Afghanistan, the couple went — following a lawyer's advice — to a U.S. consulate in Mexico to apply for legal residence. The decision backfired. Rosa was banned for 10 years from the place where she grew up.

Rep. Luis Gutierrez (D-Chicago) obtained a humanitarian visa for Rosa Nunez; it expires at the end of the year.

New Jersey

Angela* (alias)

Widow who helped her husband through years of cancer treatments while supporting their children

Angela was an undocumented immigrant whose husband became a naturalized U.S. citizen. The two had four children who were born in this country. The year she was married to her husband (who had a green card at the time), he was diagnosed with a serious form of lung cancer, and spent their entire marriage in intensive medical treatment. In order to get the legal status for which she was eligible as the wife of a citizen, Angela would have had to abandon her husband and children for several months to apply for her waiver. In 2009, after seven years of marriage, Angela's husband died. Finally, a year after her husband's death and after suffering through months of uncertain, stressful and costly deportation proceedings, she was able to get legal status in the country, by applying based on the hardship her children would suffer. Under the new policy, Angela would have been able to get legal status while her husband was still alive, sparing her family years of uncertainty.

New Mexico

Antonio Diaz Chacón

Rescued a 6-year-old girl from a child abductor

Antonio Diaz Chacón is an undocumented immigrant married to a U.S. citizen. He is currently eligible for legal status through his wife, but couldn't afford the months he would have to go without working while going to Mexico and waiting to get a waiver for the ten-year bar. Now, he can apply for the waiver without leaving his wife and job, and while staying in the community he has served by saving a 6-year-old girl from a would-be abductor.

The following is an excerpt from an Associated Press article. The original article can be found here:

<http://www.news-leader.com/article/20110820/NEWS01/108200313/1007/news01/Man-who-saved-girl-from-abduction-U-S-illegally>

The man who chased down a suspected child abductor and saved a 6-year-old girl from what could have been a horrible fate was honored as a hero Friday. But he is also gaining a new kind of celebrity: as a poster child of sorts for immigration rights in state and national immigration debates.

Antonio Diaz Chacon, 23, is married to an American and has been in the country for four years. But Chacon says he abandoned attempts to get legal residency because the process was difficult and expensive...

Mayor Richard Berry declared Friday Antonio Diaz Chacon Day in Albuquerque and held an afternoon ceremony where he presented Diaz Chacon a Spanish language plaque recognizing his bravery in jumping in his pickup and chasing the suspect until he crashed into a light pole. Diaz Chacon then rescued the girl as the driver of the disabled van ran into the desert. The suspect was arrested later by police.

Diaz Chacon, with his wife and two daughters, was all smiles at the ceremony, which was also attended by the officers who eventually arrested accused kidnapper Phillip Garcia, 29.

"He says he is really happy and content and there's no larger words for it," his wife Martha, who was translating from Spanish for him, said. "It is a real large happiness."

Asked in a telephone interview with the AP Thursday what would be the best reward for his actions, he said he had already gotten it: a thank you letter from the little girl.

Texas

Monica Bosquez

Wife who went down to Juarez with husband while he applied for waiver—and made it back

Monica Bosquez is a U.S. citizen who was married to an undocumented immigrant. She and her husband went to Juárez together to apply for a waiver for him. While they eventually made it back to the United States safely and successfully, Monica feared for their safety. Under the new policy, Monica and her husband would not have had to place themselves in danger to keep their family together.

The following is an excerpt from a story that ran on *Mother Jones' website* under the title "Dying for a Green Card" in February 2011. The original article can be found here: <http://motherjones.com/politics/2011/02/immigration-green-card-juarez-cartel-violence>

Monica Bosquez managed to "stay positive" most of the time. But in our conversation just days before she left for Ciudad Juárez, the bright and friendly program analyst for the state of Texas broke into tears. "If I don't come back," she said, "make sure you tell people what happened."

[...]

Three days after (two U.S. citizens were murdered in Juárez), Monica Bosquez and her husband landed in Juárez. Alvaro's interview was scheduled for St. Patrick's Day, and Monica was wearing socks with green shamrocks for good luck. The couple stayed at a Holiday Inn inside the golden zone guarded by men with machine guns—even the bellboy carried a sidearm. None of it made her feel safe. In fact, Monica confessed, she was "absolutely terrified" for several days after the interview, waiting to see if Alvaro's application would be approved.

On the afternoon of March 22, Monica posted a message to the Juárez discussion forum: "Can't wait for this to be over."

Later, she sent me a personal message: "The fear is the hardest part."

In emails to friends and in online postings, Bosquez had begun to refer to her family's ordeal simply as "the nightmare." It's clear that this included more than just Juárez. Months would often go by, for instance, without any status updates or responses to questions from immigration officials. In addition to the endless delays, applicants regularly complain of rude treatment by consulate staff, and of being given incorrect information that results in further delays or denial of an application.

"I'm going crazy," Monica posted as one point as she waited to learn whether, and when, she and her husband would be reunited. "Why aren't we showing up in the...system yet?" she wrote. "I wish this nightmare would finally end."

[...]

Monica often comforted her peers on the Juárez forum, women trapped in their own versions of the nightmare. "I can't imagine how terrible it seems right now," she replied to a woman who felt she had lost the battle to be reunited with her husband of 11 years. "Don't give up—this is another bureaucratic hurdle this stupid system is throwing at you, but you can beat it!"

[...]

For Monica Bosquez and her family, it was a happy ending. On December 7, she sent me a picture of Alvaro from her cell phone. He looks exhausted and red-eyed, but manages a weary smile. He's holding open his Mexican passport so that the contents are visible. The picture is grainy and blurred but you can still make out the word "VISA." To the left is a smaller version of Alvaro's smiling face, to the right an engraving that is just recognizable: the dome of the U.S. Capitol and beside it, the Liberty Bell.

Along with the photo comes a short message: "We made it. :)"

Sabas O'Brien* (*alias*)

Husband of a U.S. citizen killed in Juarez while waiting for waiver

Susan O'Brien is a U.S. citizen who was married to an undocumented immigrant. Her husband, Sabas, tried to apply for a waiver so that he could get legal status under the old system, by going to Juárez and applying to reenter the country. His application took several months to process, leaving him in limbo in Juárez. Six months after arriving in Juárez, he was murdered. Under the new system, Sabas would not have had to put his own life at risk to get in the country legally.

The following is an excerpt from a story that ran on *Mother Jones' website* under the title "Dying for a Green Card" in February 2011. The original article can be found here: <http://motherjones.com/politics/2011/02/immigration-green-card-juarez-cartel-violence>

Over at the Immigrate2US forum, Susan O'Brien (a pseudonym) took on a similar role, posting as Liley99. In 1998, at age 17, her husband Sabas had embarked on the

treacherous journey across the Sonoran desert and entered the United States. He'd worked hard and saved his money. He married O'Brien and, by 2007, the couple had their own home, a successful carpet-cleaning business, and a baby boy.

In late 2007, Sabas left the United States so that he could apply for legal immigrant status. "He is living the all-American dream!" O'Brien wrote in a filing to the Juárez consulate. Wanting to remain closer to his wife and child, Sabas decided to look for work in Juárez rather than travel far from the border. Using money from their savings, he rented an apartment in a gated area. But O'Brien still worried. "My husband told me that in just March, 250 people have been killed in Juárez alone," she posted to her forum.

Because the U.S. consulate in Juárez was so short-staffed, Sabas' application was placed on backlog, a bureaucratic limbo. "I had no idea what immigration was," O'Brien wrote on the forum on May 17, 2008, after six months apart from her husband, "nor did I understand the obstacles in front of us now..."

Five hours later, she posted another message to the forum, this one frantic. The subject line read: "Please pray, oh god please pray." Sabas had been kidnapped along with two other men. For hours, O'Brien called her husband's cell phone with no response. When she finally got through, the man on the other end of the line was a police detective.

Throughout that night and into the early morning hours, as O'Brien posted what few details she managed to learn, dozens of forum members stayed up to support her.

At 2:15 a.m., she notified the forum that the Juárez police had found a car with three unidentified bodies. "God please let this NOT be him," O'Brien wrote. "I am lost, I don't know what to do."

By 5:22 a.m., the identity of one of the bodies had been established; it was the owner of the apartment complex where Sabas lived. "I only hope that he is not one of the other 2," she wrote.

At 8:05 a.m., more bad news. The victims' last names hadn't been released, but one had been identified by the first name Sabas. O'Brien awaited the inevitable: "I can't sleep and still feel like I am dying slowly."

Just after midnight, she posted a message saying that her husband's body had been positively identified. His hands and feet were bound and he had been shot in the head and tossed into the car trunk. Supporters of Liley99 filled the forum boards with

expressions of grief, sympathy, and calls for changes to the system they blamed for Sabas' death.

[...]

In the meantime, the thousands of families intent on doing things "the right way" struggle to stay positive. Things sometimes do work out. The State Department granted O'Brien permission to have her husband's body returned to her. "And he did come back to the states," she posted to her forum, "not as planned but he was able to return to the world that he knew and loved."

West Virginia

Serge

Got computer-science degree from U.S. college, worked as youth mentor, father of two

Serge was an undocumented immigrant with a U.S. citizen wife and children. He married his wife while fighting to get asylum; after many years, his case was finally denied and he was picked up by ICE agents only six weeks later. He was deported back to his home country of Cameroon, and was only then able to apply for a waiver to get legal status through his wife. Meanwhile, in order to keep her job as a nurse while Serge was waiting in Cameroon, his wife had to send their children to live with their grandparents for several months. Eventually, Serge was allowed to return to the country with a waiver. Under the new system, Serge would have been able to apply for a family unity waiver while keeping his family together.

The following story was posted on the We Are America website. The original story can be found here: <http://www.weareamericastories.org/written/serges-story-former-basketball-start-loyal-father-deported-after-assylum-is-denied/>

Update from Serge, May 2011: A year ago on May 12, 2010 I was arrested at my house by Immigration Customs Enforcement (ICE). I was in prison for 99 days before being deported to Cameroon, leaving behind a wife of 5 years, a 3 years old son and a 1 year old son. Since my return to my homeland, I have filed all the proper applications, petitions, and forms required for my re-entry to the United State. On May 4th 2011, I had an immigrant visa interview at the U.S. Consular in my country. As expected by U.S. immigration laws, my immigrant visa was denied for living unlawfully in the USA for more than one year, but I do qualify for a Waiver of Inadmissibility. On May 11, 2011 I filed the most important petition and application of all: the Waiver of Inadmissibility. After being processed in my country the waiver package will go to Accra, Ghana where it

will be adjudicated. This is the make or break of my return home to the U.S. and to my family.

My name is Serge Babo. After living in the U.S. for 11 years I was deported on August 19, 2010 to my home country of Cameroon. I left behind a wife and two sons. At this date I'm working through Consular Processing to be able to obtain an Immigrant Visa after a waiver in order to return home to my family.

I came to the U.S. on July 22, 1999 on a B1/B2 Visa to play in a basketball tournament. I played well in the tournament and was asked to attend and play basketball at a high school. I accepted and with the help of an attorney they provided, I applied for Asylum in January, 2000. The case was eventually denied in September 2002 and I was granted voluntary departure. I never left because the case was appealed all the way to the 7th Circuit Court, which eventually dismissed the motion in April, 2010. On May 12 of that year I was picked up by ICE agent at my house.

During my 11 years in the U.S. I managed to graduated high school and college with a Bachelor Of Sciences in Computer Information Systems. The U.S. government issued me four Employment Cards and a Social Security Number. In October, 2005 God blessed me with the love of my life – Brittney Nicole, a United States Citizen - and we married in August, 2006. Together we have had 3 beautiful sons: Kendrick Cameron who passed away in July, 2006; Jeremiah Christian who was born in September, 2007; and Jabari Jayden who was born in August, 2009. Around the time of Jabari's birth we bought a house so we could live the American Dream and raise our kids.

Until I was abruptly removed from my home by federal agents, I was a productive resident of Mineral County, West Virginia. As a youth mentor for The Burlington Children's Services, Inc. my contribution to the public good has been recognized and highly appreciated.

I recognize that I broke an immigration law and if I was given the chance to do it again, I would do it differently. I have learned from what has happened and I will not put the blame of my misconduct on anyone but myself. I assume full responsibility of my actions. However, doesn't it seem logical that a well respected and loyal husband, father, friend, and volunteer for young children in the community should be given a second chance?