

**NATIONAL  
IMMIGRANT  
JUSTICE CENTER**  
A HEARTLAND ALLIANCE PROGRAM

VIA FEDERAL EXPRESS

November 8, 2017

U.S. Citizenship & Immigration Services  
Vermont Service Center  
Attn: VAWA Unit  
75 Lower Weldon St  
St Albans, VT 05479

**RE: PETITION FOR U NONIMMIGRANT STATUS, Form I-918  
CLIENT NAME (A NUMBER)**

Dear Officer:

Our office represents CLIENT in her Petition for U nonimmigrant status, Form I-918. CLIENT is eligible for a U visa as demonstrated below.

CLIENT meets all of the elements pursuant to INA §101(a)(15)(U) and is statutorily eligible for a U visa. CLIENT is a victim of a qualifying criminal activity designated in INA §101(a)(15)(U). She suffered severe physical and mental abuse throughout a three year relationship with her boyfriend, ABUSER. After being severely beaten on March 22, 2014, CLIENT filed a police report. ABUSER was subsequently charged with domestic battery pursuant to Illinois criminal statute 720 ILCS 5/12 - 3.2(A)(1) and simple battery pursuant to 720 ILCS 5/12-3.2(A)(1). CLIENT testified against ABUSER and he was convicted of domestic battery on May 27, 2014.

The burden is on the petitioner to establish eligibility through the submission of **any credible evidence relating to the petition**. 8 CFR §214.14(c)(4).

Client's supplemental documentation supports all requirements that U visa applicants must prove under the INA §101(a)(15)(U). Specifically, CLIENT is able to prove that (1) she suffered substantial physical or mental abuse as a result of having been a victim of qualifying criminal activity; (2) she possesses information concerning the qualifying criminal activity of which she was a victim; (3) a Federal, State or local government official investigating or prosecuting a qualifying criminal activity certifies (using **Supplement B** of this petition) that she has been, is being or is likely to be helpful to the official in the investigation or prosecution of the criminal act of which she is a victim; and (4) the criminal activity of which she is a victim violated the laws of the United States or occurred in the United States (including Indian country and military installations) or the territories and possessions of the United States. See INA 101(a)(15)(U); 8 CFR §214.14 *et.al*.

*(1) Suffered substantial physical or mental abuse as a result of having been a victim of qualifying criminal activity*

The regulations provide a list of factors to be considered for purposes of establishing whether a victim suffered substantial physical or mental abuse: the nature of the injury inflicted or suffered; the severity of the perpetrator's conduct; the severity of the harm suffered; the duration of the infliction

of harm; and the extent to which there is permanent or serious harm to the appearance, health, or physical or mental soundness of the victim. See 8 CFR §214.14(b)(1).

CLIENT suffered mental and physical abuse at the hands of ABUSER. CLIENT sustained physical injuries in the form of ...

*(2) Possesses information concerning the qualifying criminal activity of which she was a victim*

CLIENT contacted law enforcement and collaborated in the investigation and prosecution of the crime whereby ABUSER was convicted of domestic battery. CLIENT provided information regarding the criminal activity to law enforcement agencies to facilitate the investigation and prosecution of the qualifying criminal activity.

*(3) A Federal, State or local government official investigating or prosecuting a qualifying criminal activity certifies (using **Supplement B** of this petition) that she has been, is being or is likely to be helpful to the official in the investigation or prosecution of the criminal act of which she is a victim*

Included, please find Form I-918 Supplement B, as required by the regulations.

*(4) The criminal activity of which she is a victim violated the laws of the United States or occurred in the United States (including Indian country and military installations) or the territories and possessions of the United States*

CLIENT was the victim of criminal activity that occurred in and violated laws of the United States. ABUSER was charged with and convicted of domestic battery in the state of Illinois, pursuant to 720 ILCS 5/12 - 3.2(A)(1) and simple battery pursuant to 720 ILCS5/12-3.2(A)(1).

An application for employment authorization for CLIENT is attached under eligibility category (c)(14) for Deferred Action. This is included so that CLIENT can receive work authorization if she is granted deferred action while her application for U nonimmigrant status is being adjudicated.

IF INADMISSIBLE:

CLIENT is inadmissible pursuant to \_\_\_\_\_, and is eligible for a waiver pursuant to INA §212(d)(3) and INA §212(d)(14). CLIENT can demonstrate that it is in the national or public interest for her waiver to be granted. Form I-192 is hereby included.

Please refer to the index of applications and documents in support of CLIENT's eligibility for U nonimmigrant status with a waiver of inadmissibility.

Thank you for your time and consideration of this important matter. Please do not hesitate to contact me at (XXX) XXX-XXXX if any further information is needed.

Sincerely,

Trisha K. Teofilo Olave  
DOJ Accredited Representative

**INDEX OF FORMS AND DOCUMENTS IN SUPPORT OF U VISA  
AND WAIVER OF INADMISSIBILITY  
CLIENT NAME AND A#**

**Forms:**

- Form G-28, Notice of Entry of Appearance as Attorney
- Form I-912, Request for Fee Waiver (OR MONEY ORDER FOR FILING FEE(S))
  - Supporting documents for fee waiver request
- Form I-918, Petition for U Nonimmigrant Status
- ORIGINAL Form I-918 Supplement B, U Nonimmigrant Status Certification
- Form G-28, Notice of Entry of Appearance as Attorney
- Form I-192, Application for Advance Permission to Enter as a Nonimmigrant
- Form G-28, Notice of Entry of Appearance as Attorney
- Form I-765, Application for Employment Authorization, under category (c)(14)
  - 2 passport style photographs
- \$930.00 Money Order for Waiver of Inadmissibility (if fee waiver not included)

**Supporting Documents:**

*Eligibility for U Nonimmigrant Status:*

- A. Copy of CLIENT's birth certificate, with English translation
- B. Copy of birth certificates of CLIENT's derivative children
- C. Copy of CLIENT's current passport
- D. Copy of CLIENT's Form I-94
- E. Affidavit of CLIENT
- F. Police Incident Report for Domestic Battery Incident, dated March 22, 2014
- G. Police Incident Report for arrest of ABUSER for Domestic Battery on March 22, 2014, dated May 24, 2014
- H. Printout from Paul Pavlus, Assistant States Attorney, regarding arrest and conviction of ABUSER for domestic battery. Mr. Pavlus's handwritten note states that ABUSER is in violation of his sentence of conditional discharge
- I. Photographs of bruising on CLIENT from March 23, 2014 incident where ABUSER physically assaulted her
- J. Mt. Sinai Hospital Emergency Department Discharge Instructions indicating blunt head trauma
- K. Letter of support from CLIENT's counselor at Rape Victim Advocates

*Eligibility for Waiver of Inadmissibility:*

- See above, Affidavit of CLIENT, Ex. E.
- L. Copy of birth certificates of CLIENT's U.S. citizen children
- M. Medical records
- N. Hardship documents
- O. Letter of support from community-based organization