

**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 Welden St
St Albans, VT 05479

**RE: PETITION FOR U-3 DERIVATIVE STATUS
DERIVATIVE (DOB: 02/18/2005)
Principal Applicant: NAME; A#**

Dear Officer:

Per the attached G-28, our office represents Ms. DERIVATIVE (DOB 02/18/2005) in her application for U-3 derivative status (form I-918 Supplement A). Ms. DERIVATIVE is the minor child of PRINCIPAL (A#). In November of 2017, PRINCIPAL filed forms I-918 and I-192 with the Vermont Service Center, in order to apply for U nonimmigrant status. Currently, PRINCIPAL's I-918 petition, and her I-192 application are pending with USCIS. Because Ms. DERIVATIVE is the minor child (under 21) of U visa applicant PRINCIPAL, Ms. DERIVATIVE is eligible to petition for U-3 derivative status under INA §101(a)(15)(U)(ii).

Ms. DERIVATIVE is inadmissible pursuant to INA § 212(a)(6)(A)(i), and is eligible for a waiver pursuant to INA §212(d)(3) and INA §212(d)(14). Ms. DERIVATIVE can demonstrate that it is in the national or public interest for her waiver to be granted. Form I-192 is hereby included. Ms. DERIVATIVE is also requesting a waiver of INA §212(a)(7)(B)(i), and of 8 C.F.R. §212.1, the requirement that she have a valid passport. Ms. DERIVATIVE has been unable to obtain a passport from the Mexican consulate in Chicago, because the consulate requires that minor children obtain the signatures of both of their parents in order to receive a passport. Ms. DERIVATIVE and her mother, PRINCIPAL, are no longer in contact with Ms. DERIVATIVE's father, because of FATHER's abusive behavior. Therefore, Ms. DERIVATIVE is not able to obtain her father's signature for the purposes of obtaining a Mexican passport.

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

Thank you for your time and consideration of this 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
DERIVATIVE (DOB: 02/18/2005)**

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 Supplement A, Petition for Qualifying Family Member of U-1 Recipient
- 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 (a)(20)
 - 2 passport style photographs
- 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

Supporting Documents:

Eligibility for U Nonimmigrant Status:

- A. Copy of DERIVATIVE's birth certificate, with English translation
- B. Copy of birth certificate of PRINCIPAL, with English translation
- C. Copy of form I-918 Receipt Notice for PRINCIPAL (A#)
- D. Copy of form I-192 Receipt Notice for PRINCIPAL
- E. Copy of DERIVATIVE's current passport
- F. Copy of CLIENT's Form I-94

Eligibility for Waiver of Inadmissibility:

- G. Affidavit of CLIENT
- H. Copy of birth certificates of U.S. citizen siblings
- I. School records