



B E A C H - O S W A L D
Immigration Law Associates, PC

Beach-Oswald Immigration Law Associates Newsletter

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Beach-Oswald is a full-service law firm, concentrating on immigration law. We have special expertise in work visas, family based visas, visa waivers, green cards through family and employment and asylum. We have staff members who speak many different languages to assist you. Our firm is A-V rated, and we have 27 years of experience.

We succeed when others don't!

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WIN \$100.00

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TEMPORARY PROTECTED STATUS FOR HAITIANS



Temporary Protection Status (TPS) can be granted to foreign citizens when some event, such as a natural disaster, has occurred in their country that: 1) prevents persons from being able to return to their country safely; or 2) prevents the citizens' home country from being able to adequately receive its returning citizens. Haiti

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January 2010



has been recently been granted TPS for 18 months because of the majorly destructive earthquake that has recently devastated the country. At this time, Haiti cannot adequately receive its returning citizens, as it is now struggling to provide its earthquake victims with food, water, and shelter.

Haitians have been granted TPS in the United States from January 21, 2010 to July 22, 2011. During this time, eligible Haitians cannot be detained by the Department of Homeland Security or be deported from the U.S. They may now also apply for employment authorization and travel documents. However, having TPS alone does not make one eligible to apply for a green card.

Are you eligible for TPS?

In order to be eligible for the TPS granted to Haitians, you have to be able to answer "yes" to all of the following requirements:

1. You are a citizen of Haiti, or a person without a nationality who has regularly been living in Haiti.
2. You are filing for TPS between January 21, 2010 and July 22, 2011, or you meet the requirements for late initial registration.
3. You have been living in the United States since January 12, 2010, and not a day later, and you have not left the U.S. since that date.
4. You have good moral character. You cannot have been convicted of a felony or two or more misdemeanors in the U.S.
5. You are not a persecutor or a terrorist and have not engaged in any activity that would make you ineligible for asylum.
6. You have no criminal or security-related issues that would make you inadmissible and for which you cannot obtain a waiver.

For more information on TPS, or to read the full article, go to: www.uscis.gov where you will see a subtitle "Humanitarian". Below the subtitle, click on "Temporary Protected Status."

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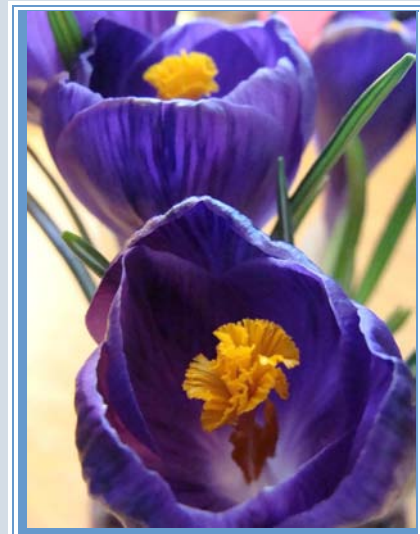


Happy Valentine's Day

Quote of the Month

**It is only with the heart
that one can see rightly;
what is essential is
invisible to the eye.**

~ Antoine de Saint Exupéry



**What is the History of
Valentine's Day?**

Do you know how Valentine's Day came to be celebrated? Or who St. Valentine was? Nobody knows the answer to either of these questions for sure.

Of the many stories circulating today, it is rumored that he was a Roman priest. Legend has it that Emperor Claudius II believed that unmarried men made better soldiers, and thereby forbade

RELIEF FOR HAITI

an interview with Regine Duroska

Q) Where and when did you go to help out with the Haiti relief effort?

- I went to Miami because my parents live there. I was there on Saturday, January 16.

Q) What did you do when you got there?

- My 5 relatives and I Wepacked up 75 boxes of food, sheets, and comforters for the people of Haiti. We packed these boxes at my mother's house and then shipped them directly to Haiti by boat.

Q) What was the atmosphere of the place as your family was packing boxes for the earthquake victims?

- We had mixed feelings throughout the day. My family was cheerful because we hadn't seen each other in a year. It also made us feel happy to be helping out our fellow countrymen. However, whenever we received calls from Haiti that day, sadness hung in the air as we were informed that some of our friends and family members were still missing.

Q) How did participating in the activity make you feel?

- It made me feel good. I have never had to do anything like this before. I felt proud knowing that I was able to make other people feel better, even though I was not there to comfort them.

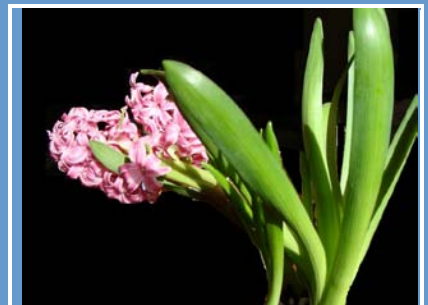
Q) Do you think the United States is doing a good job of helping in Haiti?

- I think the U.S. is doing a super job of helping in Haiti. The U.S. has provided humanitarian aid, marine aid, food, a hospital ship, and has converted the national palace lawn into a hospital. The U.S. is helping Haiti more than any other country; the biggest thing it's done for Haitians is to extend TPS for the next 18 months.



soldiers to marry. Valentine ignored the Emperor's command, however, and proceeded to perform marriages for soldiers anyway. Unfortunately, Claudius II learned of Valentine's doings and sentenced him to death. To read the full story or to see more stories about who St. Valentine was, visit:

<http://www.history.com/content/valentine/history-of-valentine-s-day>



2010 SIGNIFICANT SUCCESSSES



The start of the year has been very rewarding for our clients as well as our firm. Thus far, all of our 2010 court and administrative cases have been successful and our appeals have been remanded by the appellate boards. Some cases were very difficult and following are some examples of our successes.

Mr. B and his children were granted permanent residency in North Carolina. His case involved complex legal issues including the interplay between INA § 245(i), the Child Status Protection Act (CSPA) and the DV Lottery. This case posed particular problems because DV-1 lottery grants must generally be in lawful, valid status, and we successfully argued that he and his family should nonetheless be eligible for adjustment based of the CSPA and grandfathering provisions of INA § 245(i).

Ms. N, an adult child of a lawful permanent resident who entered the US in V-2 status, was granted permanent residency after lengthy briefing of complicated legal issues before the Baltimore Immigration Court. Although the government argued she was ineligible for adjustment because she did not file for her green card within one year of her I-130 being approved, we successfully argued that she was entitled to her green card under the CSPA and its legislative history.

Ms. K was granted asylum at the Arlington Asylum Office, after being denied at a prior interview.

Ms. K is a Muslim woman from Mali who had undergone genital mutilation as a child, and was nearly forced into a non-consensual marriage. She has a young US citizen daughter and Ms. K would face physical and societal repercussions for opposing the infliction of FGM on her daughter if she were forced to return to Mali.

Ms. D was granted asylum at the Arlington Immigration Court. Although she had lived in European countries including Germany and Belgium for a number of years prior to coming to the US, our legal arguments on the legal issue of firm resettlement were successful. Ms. D and her witnesses also did exceptionally well on the witness stand.

Ms. P was granted asylum by the Baltimore Immigration Court based on her imputed political opinion. Because of her activity in many women's groups and role as a musician and preacher, the government of her native country viewed her as a political opponent. Ms. P provided very credible testimony and the Judge was satisfied with the great amount of evidence she presented.

Oral Argument Before the U.S. Court for Appeals for the Fourth Circuit. Our firm recently presented oral arguments before the 4th Circuit in Richmond, Virginia. The case involved the issue of the persecutor bar and we argued that the Judge erred in finding Mr. N., a former gendarme, ineligible for asylum, where his passive witnessing of persecution, without more, did not constitute assistance or participation in persecution because it did not objectively lead to the persecution of others. Oral

arguments went very well and the Court's decision is pending.

U.S. Court of Appeals for the Ninth Circuit Schedules Oral Argument for Cameroonian Asylum Case. Our firm has recently been scheduled to present oral arguments in California before for the 9th Circuit in a case involving a political asylum seeker from Cameroon. The case involves a variety of legal and factual issues, including whether the Judge's decision was tainted by a lack of understanding of country conditions in Cameroon and whether our client's demeanor in court was appropriate given her history of gross abuse and suffering.

HOW TO CHECK STATUS OF YOUR USCIS APPLICATIONS



Have you recently filed an application of any kind with USCIS? Are you anxious to see the status of that application? There is an easy way that you can check the status of your application by following these simple steps:

- Go to www.uscis.gov
- On the left side of the webpage, you will see "CUSTOMER TOOLS," with a subtitle "After I File." Select the first option on that listed, entitled, "[Check My Case Status.](#)"
- A new window will open entitled "My Case Status." There will be a blank box that will say "[Enter your receipt number.](#)" The receipt number is in the top left corner of the Receipt Notice that you have received from USCIS in the mail. The receipt number is usually preceded with three letters. Enter those three letters and all the numbers WITHOUT ANY DASHES OR SPACES IN BETWEEN. If you enter dashes or spaces, the website will tell you that the application receipt number is invalid. Once you type in the receipt number, click "[Check Status.](#)" The website will then tell you what the current status of your application is.

EB-5 - THE FAST WAY TO GET A GREEN CARD

Although expensive, the EB-5 is a speedy way to get a green card. The EB-5 is an immigrant investor program that results in the creation of jobs for people in the U.S. It requires aliens to invest \$ 1 million in a business or \$500,000 if the alien invests in a business in an area with high unemployment or a



in a rural area. The alien will then have to hire at least 10 U.S. workers to work for their business.

Once an alien follows through with the procedures of an EB-5, he is eligible to apply for a green card. Ten thousand green cards will be granted every year for EB-5 applicants, and they will be granted quickly. The number of people who apply for green cards based on EB-5s has been increasing quite rapidly because these green cards are granted so quickly. So while it may be expensive, it is definitely worth your time to apply for an EB-5 if you have the opportunity to do so, and the lawyers at BOILA PC can help you through this process.

WIN \$100.00!!!



It's simple and anyone can do it!

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Immigration Law & Associates on Facebook and sign up on Twitter to follow VisaToUS. Every month, we will randomly select one person from Facebook or Twitter (depending on which one has the highest number of members for that month) and award them \$100.00 towards their retainer.

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