

Attorney Famuyide Wins Green Card For Immigrant After Court Proceedings

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It took about 4 years to complete, but this hopeless immigrant obtained his green card when he least expected it. It was another spectacular victory for Attorney Famuyide who won after another attorney botched and abandoned the case. The joy of this immigrant cannot be quantified when he received the news of the issuance of his green card by the U.S. Citizenship & Immigration Services.

It was the conclusion of another journey to uncertainty and pseudo slavery. The misery of this immigrant ended just like that and now, he is planning to travel abroad to see his loved ones after many years in what could be termed an exile.

Attorney Famuyide was not the first lawyer to handle the case. This immigrant entered the United States many years ago. He made several efforts to obtain permanent resident status through available programs but failed. He met and married a U.S. citizen who practically reduced him to nothing through incessant verbal abuse and insult.

The spouse of this immigrant petitioned for him, but after about two years of trying without the full cooperation of his spouse, he gave up and his lawyer abandoned him. To add salt to injury, he received a Notice to Appear in court for removal proceedings shortly afterwards. It was at this junction of confusion that he was recommended to consult Attorney Famuyide, who took the case about 4 years ago.

The options of this immigrant were limited, but Attorney Famuyide continued to push with all available legal tactics to keep the case going. It was during the pendency of the case that the issues of prosecutorial discretion offered by President Obama arouse. Attorney Famuyide adopted the combination of prosecutorial discretion and adjustment of status to get the case terminated before the court and the case was referred to the U.S. Citizenship & Immigration Services for adjudication.

All immigrants currently in removal proceedings or if you have any old deportation order against your name must contact the Law Office of Joseph Famuyide immediately. You cannot obtain any immigration benefits unless you reopen and remove the deportation order. Apart from the USCIS Memo of June 17, 2011 on this issue, the President has expanded the use of prosecutorial discretion now through the newly announced executive order which was announced on November 20, 2014.

It is important that you act now. According to the USCIS, "When ICE favorably exercises prosecutorial discretion; it essentially decides not to assert the

full

scope of the enforcement authority available to the agency in a given case. In the civil immigration enforcement context, the term "prosecutorial discretion" applies to a broad range of discretionary enforcement decisions, including but not limited to the following:

- deciding to issue or cancel a notice of detainer;
- deciding to issue, reissue, serve, file, or cancel a Notice to Appear (NTA);
- focusing enforcement resources on particular administrative violations or conduct;
- deciding whom to stop, question, or arrest for an administrative violation;
- deciding whom to detain or to release on bond, supervision, personal recognizance, or other condition;
- seeking expedited removal or other forms of removal by means other than a formal removal proceeding in immigration court;
- settling or dismissing a proceeding;
- granting deferred action, granting parole, or staying a final order of removal;
- agreeing to voluntary departure, the withdrawal of an application for admission, or other action in lieu of obtaining a formal order of removal;
- pursuing an appeal;
- executing a removal order; and
- responding to or joining in a motion to reopen removal proceedings and to consider joining in a motion to grant relief or a benefit."
- the agency's civil immigration enforcement priorities;
- the person's length of presence in the United States, with particular consideration given to presence while in lawful status;
- the circumstances of the person's arrival in the United States and the manner of his or her entry, particularly if the alien came to the United States as a young child;
- the person's pursuit of education in the United States, with particular consideration given to those who have graduated from a U.S. high school or have successfully pursued or are pursuing a college or advanced degrees at a legitimate institution of higher education in the United States;
- whether the person, or the person's immediate relative, has served in the U.S. military, reserves, or national guard, with particular consideration given to those who served in combat;
- the person's criminal history, including arrests, prior convictions, or outstanding arrest warrants;
- the person's immigration history, including any prior removal, outstanding order of removal, prior denial of status, or evidence of fraud;
- whether the person poses a national security or public safety concern;
- the person's ties and contributions to the community, including family relationships;
- the person's ties to the home country and condition~ in the country;
- the person's age, with particular consideration given to minors and the elderly;

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- whether the person has a U.S. citizen or permanent resident spouse, child, or parent;
- whether the person is the primary caretaker of a person with a mental or physical disability, minor, or seriously ill relative;
- whether the person or the person's spouse is pregnant or nursing;
- whether the person or the person's spouse suffers from severe mental or physical illness;

- whether the person's nationality renders removal unlikely;
- Whether the person is likely to be granted temporary or permanent status or other relief from removal, including as a relative of a U.S. citizen or permanent resident;
- whether the person is likely to be granted temporary or permanent status or other relief from removal, including as an asylum seeker, or a victim of domestic violence, human trafficking, or other crime; and
- whether the person is currently cooperating or has cooperated with federal, state or local law enforcement authorities, such as ICE, the U.S Attorneys or Department of Justice, the Department of Labor, or National Labor Relations Board, among others.

In this immigrant's case, the DHS exercised favorable prosecutorial discretion when it allowed the case to be terminated without prejudice and remanded the matter. Attorney Famuyide took the immigrant through interview with the USCIS and it was successful.

Before, an immigrant can be granted favorable exercise of prosecutorial discretion, the court and the U.S. Immigration and Customs Enforcement agency will look into certain things and if satisfied, such an immigrant's could be granted favorable exercise of prosecutorial discretion which simply means in essence that his case will be terminated without prejudice.

Among factors considered in the exercise of prosecutorial discretion are;

Many immigrants are in the U.S today, the only reason why they are not green card holders is because of an old deportation matter, the way is opened now to have the deportation order canceled, consult with Attorney Famuyide immediately.

This article is for your information only; it is not a legal advice. It is not a representation of any future outcome. If you need any further clarification or If you have any question, please feel free to contact Attorney Famuyide at 718-647-6767 or send email to jfamuyide@aol.com .

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