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Clerk of Court

CIVIL ACTION NO.:

Respondents-Defendants.

**COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF AND
PETITION FOR WRIT OF MANDAMUS**

Petitioners-Plaintiffs, [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]¹ by and through their undersigned counsel, sue RESPONDENTS-DEFENDANTS, UNITED STATES OF AMERICA; UNITED STATES DEPARTMENT OF HOMELAND SECURITY (DHS), JANET NAPOLITANO, as Secretary of DHS; UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS); ALEJANDRO MAYORKAS, as Director of USCIS; SANDRA M. HEATHMAN, as District Director of USCIS, Houston District Office; DAVID ROARK, as Director of the USCIS Texas Service Center; UNITED STATES DEPARTMENT OF JUSTICE (DOJ); ERIC H. HOLDER, JR., as Attorney General of the United States; FEDERAL BUREAU OF INVESTIGATION (FBI); and ROBERT S. MUELLER III, as Director of the FBI, (hereinafter, collectively, "Defendants").

INTRODUCTION

1. This cause is brought to compel action on five (5) Asylee Relative Petitions (Forms I-730) filed by Plaintiff on behalf of her five (5) children, which have been pending now for more than three (3) and one-half years. *See* Exhibit A (copies of the official USCIS Receipt Notices for Forms I-730). The children are as follows: [REDACTED]

¹ [REDACTED] compliance with General Order 2004-11, the first names of the children of the Lead Plaintiff, [REDACTED]. Dates of birth and other protected information also have been redacted in the attached exhibits pursuant to the General Order. Two of Plaintiff's children are now 21 or over. [REDACTED] Under the immigration laws, as will be discussed, since all of her children were under age 21 at the time Plaintiff filed her application for asylum, which has now been approved, their ages were all preserved for purposes of adjudication of their I-730 asylee relative petitions.

[REDACTED]
[REDACTED]
[REDACTED] The applications were filed and remain within the jurisdiction of Defendants, who have improperly withheld timely action on these applications to Lead Plaintiff's and her children's detriment.

2. Plaintiff, [REDACTED] born on [REDACTED] a national and citizen of Cameroon. She last entered the United States lawfully on May 26, [REDACTED] on a valid B-2 visitor's visa. The Department of Homeland Security ("DHS") subsequently granted [REDACTED] asylum on [REDACTED] See Exhibit C (Copy of USCIS letter notifying Plaintiff of her asylum approval).

3. Although [REDACTED] timely filed I-730 petitions for asylee relatives to permit her children to come join her in the United States, it has now been more than three (3) and one-half years since the petitions were filed with United States Citizenship & Immigration Services ("USCIS"), on August 16, [REDACTED] See Exhibit A (Copies of USCIS Receipt Notices for Forms I-730). Plaintiff provided all necessary documentation to allow USCIS to adjudicate the I-730 petitions filed on behalf of her children. The undue delay and improper withholding of statutorily mandated adjudication of a pending petition, filed for asylee benefits, presents an ongoing violation of the Administrative Procedures Act ("APA"), 5 U.S.C. § 555 *et seq.* and § 701 *et seq.*; the Immigration and Nationality Act ("INA"), INA § 208(b)(3) (8 U.S.C. § 1158(b)(3); 8 C.F.R. § 208.21); and violates Fifth Amendment Due Process.

4. [REDACTED] rights are infringed by this undue delay because she has been separated from her children for over three (3) years, despite the fact that her

status as an asylee entitles her to apply to bring her children to the United States as derivative beneficiaries. In addition, [REDACTED] children, the youngest of whom was only two (2) years old when [REDACTED] fled Cameroon, have been left living in Cameroon as virtual orphans—in poverty and without their mother, father (whereabouts unknown) or legal guardian. The children's lives are in constant danger, and they have been the victims of theft or other crimes. See Exhibit E (Letter from Plaintiff to Nebraska Service Center describing the children's living situation); Exhibit F (further letter to USCIS); Exhibit G (status inquiry results); Exhibit H (further letter from prior attorney Ms. Chandler). Furthermore, [REDACTED] clearly has suffered extreme mental anguish over her feelings of guilt and helplessness as a result of being separated for such a long time from her children. See Exhibit I (Intake Form - Center for Survivors of Torture reflecting Plaintiff's distraught emotional state).

PARTIES

5. Lead Plaintiff is [REDACTED], a Cameroonian national, was granted asylum on June 29, [REDACTED] on the grounds that she suffered persecution as a member of the Anglophone minority in Cameroon. In August [REDACTED] filed Forms I-730, Refugee/Asylee Relative Petition for each of her five (5) children. See Exhibit A. Defendant USCIS issued receipt notices dated August 18, 2006, for all five petitions. See *id.* [REDACTED] resides in Houston, Texas.

6. [REDACTED]'s five children are the other Plaintiffs. [REDACTED] reside in Cameroon. Plaintiff [REDACTED]

7. The Defendants are: (i) the United States of America (US), (ii) certain agencies of the United States: the United States Department of Homeland Security (DHS), United States Citizenship and Immigration Services (USCIS), which is a bureau of the DHS, the Department of Justice (DOJ), and the Federal Bureau of Investigations (FBI), which is a bureau of the DOJ, and (iii) federal officials sued in their official capacities employed by those agencies. These named officials have direct control and responsibility over Plaintiffs' I-730 petitions, i.e. the five pending petitions for Ms. [REDACTED]'s children as derivative beneficiaries, and/or the direct control over the security checks relating to those petitions. DAVID ROARK is the Director of the USCIS Texas Service Center, where Plaintiff's petitions are currently being held, and therefore has direct oversight authority for the adjudication of the petitions filed by Ms. [REDACTED]. SANDRA H. HEATHMAN is the District Director of the Houston District Office of USCIS. As such, she has direct responsibility for supervising the decision-making on these petitions and her office issued the latest response to undersigned counsel's latest status inquiries. *See* Exhibit P (12/04/2009 notice from USCIS). ALEJANDRO MAYORKAS is the USCIS Director and JANET NAPOLITANO is the DHS Secretary, and thus both individuals have direct supervisory control over the individuals who are processing and considering Plaintiff's petitions. ERIC HOLDER is the Attorney General of the United States, and thus has supervisory authority over the DOJ. In addition, ROBERT S. MUELLER III, as Director of the FBI, has supervisory control over any required security or background checks.

JURISDICTION

8. Statutory Jurisdiction. This Honorable Court has jurisdiction over this matter on the basis of several provisions. The Court has federal-question jurisdiction under 28 U.S.C. § 1331, because Plaintiffs' claims arise under the laws of the United States, particularly the section of the Immigration and Nationality Act ("INA") dealing with the treatment of the children of asylees. See INA §208(b)(3) (8 U.S.C. §1158) (setting out the treatment of spouse and children), 8 C.F.R. §208.21 (provision on admission of the asylee's spouse and children).

9. This Court also has jurisdiction under 28 U.S.C. §1361 (the Mandamus Act), which states that "[t]he district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff." It also has jurisdiction in conjunction with 28 U.S.C. §1348 (United States as a defendant); 28 U.S.C. §1651 (All Writs Act); 28 U.S.C. §2201-2202 (Declaratory Judgment Act); 5 U.S.C. §551 *et seq.* and §701 *et seq.* (Administrative Procedures Act; and Rules 57 (Declaratory Judgments) and 65 (Injunctions) of the Federal Rules of Civil Procedure, permitting declaratory and injunctive actions.

10. Exhaustion of Remedies. Plaintiffs have exhausted all administrative remedies available to them in that the Lead Plaintiff and/or her *pro bono* attorneys have made numerous attempts to obtain a resolution of the delay described in this Complaint. Since filing the Asylee Relative Petitions (Forms I-730) for each of her children *pro se*, [REDACTED] and/or her *pro bono* attorneys have made many status inquiries to USCIS (see, e.g., Exhibits E, F, G, H, M, O), solicited AILA liaison assistance on the

case (Exhibit K), and spoken with USCIS representatives both by telephone and in-person through scheduled INFOPASS appointments (*see, e.g.*, Exhibit N). The inquiries were made by various student attorneys with their supervising attorneys throughout the years 2008 and 2009 after [REDACTED] obtained *pro bono* counsel at the University of Houston Law Center Immigration Clinic. As the status inquiries demonstrate, USCIS's responses to inquiries have been insufficient, nonresponsive, or contrary to law. *See, esp.*, Exhibits G, O, and P (alleging admissibility concerns relating to the Petitioner and *not* to the Beneficiaries). Pursuant to USCIS's reported case processing times, the subject cases are clearly outside the standard processing times. *See* Exhibit M (showing that, as of July 2009, the Service Center was then currently processing I-730s with a priority date of February 2009).

VENUE

11. Venue lies in this District, the United States District Court for the Southern District of Texas, under 28 U.S.C. §1391(e), which states, in pertinent part, that "a civil action in which a defendant is an officer or employee of the United States or any agency thereof . . . may . . . be brought in any judicial district in which (1) a defendant in the action resides, [or] (2) a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) the plaintiff resides if no real property is at issue." *Id.* Defendant USCIS resides in this District due to the fact that the USCIS Houston District Office is located in the Southern District of Texas. Moreover, venue is proper because a substantial part of the events or omissions giving rise to the claim occurred and Lead Plaintiff resides in Houston, Texas. *Id.*

STATUTORY AND REGULATORY BACKGROUND

12. Form I-730, Refugee/Asylee Relative Petition. Under federal immigration law, a non-U.S. citizen who is granted asylum gains multiple benefits, which include employment authorization, derivative asylum status for family members, an unrestricted social security card, employment assistance, and the ability to apply for adjustment of status to permanent residence after one (1) year. *See* Exhibit C (USCIS letter granting Plaintiff asylum and explaining asylum benefits); 8 U.S.C. §§ 1158, 1159; INA §§ 208, 209. At issue here are the derivative asylum benefits for family members. Specifically, an asylee may request “derivative asylum status” for any spouse or child who is not included in the asylum grant and with whom the asylee has a qualifying relationship, whether or not that spouse or child is present in the United States. *See* 8 C.F.R. § 208.21(d); INA §208(b)(3) (“A spouse or child . . . of an alien who is granted asylum . . . may . . . be granted the same status as the alien if accompanying, or following to join, such alien.”). The spouse or child does not need to establish an independent claim to persecution and can be residing within his or her home country or in a third country. *Id.* To request derivative asylum status, the asylee must file a separate Form I-730 (Refugee/Asylee Relative Petition) for each family member within two years of obtaining asylum. 8 C.F.R. § 208.21(d). [REDACTED] timely filed the I-730 petitions for her five (5) children within the two-year timeframe, as required.

FACTUAL ALLEGATIONS

13. Lead Plaintiff, [REDACTED] born in 1965, is a national and citizen of Cameroon. She last entered the United States on May 26, 2005,

on a valid B-2 visitor visa and applied affirmatively for asylum with U.S. Citizenship and Immigration Services.

14. [REDACTED] was granted asylum on June 29, [REDACTED], on the basis of her past persecution and well-founded fear of future persecution as a member of the Anglophone minority in Cameroon. See Exhibit C (USCIS letter notifying Ms.

15.

[illegible]

16. In August 2006, Ms. [REDACTED] filed five (5) separate Form I-730 petitions seeking derivative asylum status for her five (5) children.² See Exhibit A (USCIS receipt notices).

² All [REDACTED] sons and daughters were under age 21 at the time she filed for asylum. The INA provides that a child who was “under 21 years of age on the date on which [a] parent applied for asylum . . . shall continue to be classified as a child” for purposes of determining derivative asylum benefits. INA § 208(b)(3)(B); *see also* section 4 of the Child Status Protection Act of 2002 (CSPA), Pub. L. No. 107-208, 116

17. After time passed without any adjudication of the I-730 petitions, Ms. [REDACTED] obtained *pro bono* counsel at the University of Houston Immigration Clinic, who began taking action on her case. The actions included notifying USCIS of the delay (Exhibit H), sending multiple written requests for adjudication (Exhibits H, L, O), contacting USCIS representatives by phone, and scheduling INFOPASS appointments to speak in person with a USCIS information officer at the Houston District Office (Exhibit N).

18. Ms. [REDACTED] personally wrote letters to the Nebraska Service Center (where her petitions were held previously) and the Texas Service Center (where her petitions are currently held), *see* Exhibit D, pleading for speedy adjudication of her petitions due to her children's dire predicament abroad. *See* Exhibits E-F.

19. On November 20, 2008, a University of Houston Immigration Clinic student volunteer spoke to a USCIS representative and was informed that the cases were "actively pending."

20. On February 12, 2009, USCIS approved Ms. [REDACTED]'s I-730 petition filed on behalf of her eldest child, [REDACTED]. However, USCIS later inexplicably rescinded the approval and reopened adjudication of the petition on March 9, [REDACTED]. *See* Exhibit J.

21. At an October 9, 2009, INFOPASS appointment at the Houston District Office, a USCIS officer notified [REDACTED] attorneys that all five (5) children had been assigned identification numbers (also known as "A numbers") and to expect a decision within thirty (30) days.

Stat. 927 (preserving the child's age on the date the principal alien applied for asylum status). Therefore, all of [REDACTED] remain eligible for derivative status.

22. After receiving no decision within the expected time period, Ms. [REDACTED] current counsel, Geoffrey A. Hoffman, Esq., University of Houston Immigration Clinic Director, attended another INFOPASS appointment on December 1, 2009, at the Houston District Office. He was informed that four (4) of the petitions had been assigned to one officer, while one (1) case was assigned to a second officer. No time-frame for a decision was forthcoming on any of the petitions. No explanation was provided for the delay or the reasoning behind the assignment of the cases to different officers.

23. On December 4, 2009, USCIS issued a notice by mail to Attorney Hoffman stating that Ms. [REDACTED] case has been placed on hold "because she appears to be inadmissible under 212(a)(3)(B) of the INA,³ and USCIS currently has no authority not to apply the inadmissibility ground(s) to which your client appears to be subject," (emphasis added), and therefore USCIS is "holding adjudication in abeyance while the Department of Homeland Security considers additional exercises of the Secretary of Homeland Security's discretionary exemption authority." See Exhibit P. No explanation was provided, in any event, as to how [REDACTED]'s alleged inadmissibility could have an impact on her children's status, and neither the INA nor the regulations supports such an interpretation.

³ Although there was no subsection of § 212(a)(3)(B) specified in the USCIS notice, section 212(a)(3)(B) of the INA (8 U.S.C. § 1182(a)(3)(B)) sets forth generally the inadmissibility grounds for aliens who have allegedly provided "material support" to terrorist organizations. However, absolutely no proof or other evidence of such material support is mentioned or even provided. [REDACTED] has never been involved in any terrorist activity and no evidence of such involvement was found previously by USCIS, as shown by the agency's previous approval of her prior asylum application.

24. [REDACTED] has been granted asylum. There never was any issue of any bar to asylum based on material support. In addition, no § 212(a)(3)(B) inadmissibility had ever been raised prior to the December 4, 2009 notice from USCIS. There is no evidence to suggest that Plaintiff had ever been involved in any terrorist activity. Furthermore, USCIS never issued a Request for Evidence (known as, an "RFE"), thereby denying [REDACTED] both notice and any opportunity to respond to the unfounded allegations of inadmissibility due to the purported terrorist bar.

25. Even assuming *arguendo* [REDACTED] were subject to a 212(a)(3)(B) inadmissibility ground, the regulations provide for a denial of derivative asylum status to an asylee's relatives *only if* "it is determined that the *spouse or child* is ineligible." See 8 C.F.R. 208.21(a). USCIS has not even alleged that Plaintiff's children are inadmissible on any basis and therefore Plaintiff's *alleged* inadmissibility should not impact the adjudication of [REDACTED] petitions filed on behalf of her children.

26. Upon information and belief, [REDACTED] has no criminal record, has not been detained, arrested or convicted of any crime during her four (4) years in the United States, nor does she have any criminal record in her native country, nor in any other country in the world.

HARM THAT DEFENDANTS ARE CAUSING PLAINTIFFS

27. Plaintiffs have suffered, and are suffering, significant harm because of the Defendants' policies, procedures, acts and/or failures to act as described in this Complaint. The Defendants' failure to adjudicate Plaintiffs' asylee relative petitions for a period of more than three (3) and one-half years constitutes a failure to properly

administer the Immigration and Nationality Act (INA). As a result, [REDACTED] has been separated from her five (5) children, who depend on her for their physical safety, as well as financial and emotional support.

28. [REDACTED] has suffered mental anguish over her feelings of guilt and helplessness in leaving her children in Cameroon and remaining separated from them for such a long period of time. See Exhibit I (Record of counseling services sought by Plaintiff).

29. Withholding of statutorily-mandated asylum benefits. Because Plaintiff's petitions filed on behalf of her children have not been granted, [REDACTED] is not receiving the full rights, privileges, and benefits that she is entitled to as an asylee. [REDACTED] was granted asylum on [REDACTED] was informed that derivative asylum status for her children was one of the many benefits she is eligible to apply for as an asylee. See Exhibit C (USCIS letter notifying Plaintiff of favorable asylum grant). In August 2006, [REDACTED], in reliance on the statutory mandate of derivative asylum benefits, promptly filed the I-730 petitions seeking derivative asylum status for her children. Each day of delay in the adjudication of her petitions means another day (now over three years) that she is prevented from reuniting with her five children.

30. The delay in processing Plaintiff's petitions also means more time that her children are left in dangerous conditions in Cameroon. Plaintiff is estranged from the father of her children and the father does not play any role whatsoever in caring for her children. As a result, [REDACTED] children are forced to rely on the good-will of relatives in Cameroon for housing and safekeeping. Although [REDACTED] sends money to cover her children's food and school costs, she is unable to ensure their safety

while they remain in Cameroon. Indeed, [REDACTED] who is only seven (7) years old, has been the victim of numerous attacks and robberies. In addition, one of [REDACTED] daughters currently resides in [REDACTED] because remaining in Cameroon without her mother was too dangerous and caused her great mental anguish.

31. Infringement on Constitutional Rights. Plaintiff's rights to due process of law and equal protection under the Fifth Amendment to the United States Constitution have been and continue to be violated by Defendants' failures, policies and practices as described in this Complaint.

CAUSES OF ACTION

Count I

Violation of Administrative Procedures Act, 5 U.S.C. §555 *et seq.* and §701 *et seq.*

32. Plaintiffs incorporate paragraphs 1 through 31, as if fully stated in this Count.

33. Defendant's practices, policies, conduct, and failures to act as alleged in this Complaint violate the Administrative Procedures Act, 5 U.S.C., because:

- an action (namely, the adjudication [REDACTED]'s asylee relative petitions) by an agency of the United States, i.e., USCIS, is being "unlawfully withheld or unreasonably delayed," now for more than three years and six months, as proscribed by 5 U.S.C. §706(1);
- the agency's delay in adjudicating these applications is "arbitrary, capricious, [and] not in accordance with law," as proscribed by 5 U.S.C. §706(2)(A); and

- the agency's handling of these applications has not been effected "[w]ith due regard for the convenience and necessity of the parties...and within a reasonable time," as required by 5 U.S.C. §555(b).

34. As a result, Plaintiffs have suffered irreparable and/or other harm, thereby entitling them to injunctive and other relief.

Count II
Mandamus, 28 U.S.C. §1361

35. Plaintiffs incorporate paragraphs 1 through 31, as if fully stated in this Count.

36. Defendants have a duty to administer and enforce the Immigration and Nationality Act (INA). *See* INA §103; 8 U.S.C. §1103 (regarding *inter alia* the duties of the Secretary of Homeland Security and United States Attorney General). Accordingly, Defendants have the responsibility to adjudicate Ms. [REDACTED] asylee relative petitions, but have failed to do so for approximately forty-one (41) months. This breach of the Defendants' duty is ongoing, despite all reasonable efforts by Plaintiffs and their attorneys to check the status of the application and cooperate with the agency in expediting and concluding this process. Moreover, this breach of the Defendants' duty has no foreseeable conclusion, and could be prolonged for months or even years into the future. Plaintiffs therefore have no remedy available to compel the Defendants to satisfy their statutory obligations but for this federal action.

37. As a result, Plaintiffs have suffered irreparable and/or other harm, money damages, and attorneys' fees, thereby entitling her to injunctive and other relief.

Count III
Violation of Immigration and Nationality Act (INA),
INA §208(b)(3) (8 U.S.C. §1158)

38. Plaintiffs incorporate paragraphs 1 through 31, as if fully stated in this Count.

39. Under federal immigration law, a non-U.S. citizen who is granted asylum gains multiple benefits, one of which is the ability to obtain derivative asylum status for family members. *See* INA § 208(b)(3); 8 U.S.C. § 1158(b)(3); 8 C.F.R. § 208.21. An asylee may request "derivative asylum status" for any spouse or child who is not included in the asylum grant and with whom the asylee has a qualifying relationship, whether or not that spouse or child is present in the United States. *See* 8 C.F.R. § 208.21(d).

40. To request derivative asylum status, the asylee must file a separate Form I-730 (Asylee Relative Petition) for each family member within two (2) years of obtaining asylum. 8 C.F.R. § 208.21(d). [REDACTED] timely filed the I-730 petitions for her five (5) children within the two-year timeframe. *See* Exhibit A (receipt notices). [REDACTED] has complied with all of the requirements for seeking the benefits to which she is entitled as an asylee, namely, obtaining derivative asylum status for her children.

41. Defendants' practices, policies, conduct, and failures to act as alleged in this Complaint—namely, failing to timely adjudicate the Plaintiff's asylee relative petitions—are in violation of INA §208(b)(3) (8 U.S.C. §1158(b)(3)), and its current, attendant regulations. The violation of the INA is most apparent in the latest notice from the USCIS dated December 4, 2009 (Exhibit P) in which Ms. [REDACTED] case is purportedly "on hold" due to *her* alleged inadmissibility. *The Service appears to believe erroneously that [REDACTED] applied for adjustment of status and therefore is*

seeking admission when that is not the issue at hand. The real issue, which has never been addressed by USCIS, is Ms. [REDACTED] children's admissibility and their entitlement to derivative asylee benefits pursuant to INA § 208; 8 U.S.C. § 1158.

42. As a result, Plaintiffs have suffered and will suffer irreparable harm, thereby entitling them to injunctive and other relief.

Count IV
Declaratory Judgment, 28 U.S.C. § 2201

43. Plaintiffs incorporate paragraphs 1 through 31, as if fully stated in this Count.

44. The Defendants' practices, policies, conduct, and failures to act as alleged in this Complaint are: a violation of the INA, a breach of the Defendants' statutory duties, and are unconstitutional, arbitrary and capricious. Plaintiffs seek a declaration to that effect pursuant to 28 U.S.C. § 2201, and declaring that Defendants are compelled to adjudicate Plaintiff's five (5) I-730 petitions in the next thirty (30) days.

Count V
Violation of the Fifth Amendment Due Process
and Equal Protection Clauses

45. Plaintiffs incorporate paragraphs 1 through 31, as if fully stated in this Count.

46. The Defendants' practices, policies, conduct, and/or failures to act as alleged in this Complaint violate the Plaintiff's right to substantive and procedural due process and equal protection of law protected by the Fifth Amendment to the United States Constitution. Lead Plaintiff is protected by the Fifth Amendment and is guaranteed the enjoyment of due process and equal protection, on the basis of her status

as an asylee. Because of the delay by the Defendants in granting her petitions for derivative asylum status for her children, [REDACTED] has suffered a violation of her due process rights.

47. As a result, Plaintiffs have suffered irreparable and other harm, thereby entitling them to injunctive and other relief.

RELIEF REQUESTED

Wherefore, the Plaintiffs respectfully request that this Court:

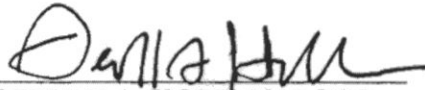
a. Declare that the Defendants' acts and omissions as alleged in this Complaint violate the Immigration and Nationality Act, the Administrative Procedure Act, and the Due Process and Equal Protection Clauses of the Fifth Amendment;

b. Issue a writ of *mandamus* requiring that the Defendant United States and its agencies adjudicate [REDACTED] five (5) asylee relative petitions within thirty (30) days;

c. Issue a preliminary and permanent injunction requiring Defendants to adjudicate [REDACTED] asylee relative petitions (I-730s) for her five (5) children within the next thirty (30) days; and

d. Grant such other relief as the Court deems just, equitable and proper.

Respectfully submitted, this 12th day of FEBRUARY, 2010.



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LIST OF EXHIBITS*

**(Redacted as appropriate pursuant to G.O. 2004-11)*

<u>Exhibit</u>	<u>Description</u>
A	USCIS Receipt Notices for All Five (5) Form I-730s (Asylee Relative Petitions)
B	Birth Certificates for Plaintiffs-Children
C	[REDACTED] Letter from USCIS granting Asylum to Lead Plaintiff
D	USCIS Notice showing that I-730 case transferred to Texas Service Center dated [REDACTED]
E	April [REDACTED] <i>pro se</i> letter by Lead Plaintiff to USCIS Nebraska Service Center
F	June [REDACTED] <i>pro se</i> letter by Lead Plaintiff to USCIS
G	USCIS Case Status Reports from USCIS Websites showing cases still currently pending
H	[REDACTED] University of Houston Immigration Clinic letter to USCIS Texas Service Center requesting adjudication of five (5) I-730 petitions
I	Center for Survivor of Torture Request for Psychological Consultation form regarding Lead Plaintiff dated January [REDACTED]
J	[REDACTED] USCIS Motion to Reopen Refugee/Asylee Petition
K	AILA Service Center Liason Assistance Form from UH Immigration Clinic requesting Status of Cases
L	[REDACTED] University of Houston Immigration Clinic letter to USCIS Texas Service Center requesting adjudication of five (5) I-730 petitions
M	USCIS Processing Time Information for Texas Service Center
N	INFOPASS receipt showing appointment dated [REDACTED]

- O [REDACTED] University of Houston Immigration Clinic letter, by Geoffrey A. Hoffman, to USCIS Texas Service Center, with attachments
- P [REDACTED] Notice from USCIS stating that the "case" is on hold due to "inadmissibility" concerns
- Q Mandamus Warning Letter(s) to USCIS Houston District Office and USCIS Texas Service Center both dated [REDACTED] from UH Immigration Clinic-UH Law Center