



TEMPLATE

REQUEST TO HOLD IN ABEYANCE LETTER

I-485 CASE

Dear Officer:

Enclosed please find my G-28, Notice of Entry as Attorney of Appearance for CLIENT NAME. Please send all of Mrs. CLIENT NAME's immigration-related correspondence to the aboved mentioned address as she is in the process of separating from her husband because of domestic violence.

Mrs. CLIENT NAME's husband filed Form I-130 and I-485 on her behalf and was recently interviewed proving damaging information to her immigration case with the purpose of deporting his wife. Throughout their marriage, Mrs. CLIENT NAME's husband has subjected her to domestic violence and extreme mental cruelty. Mrs. CLIENT NAME, through my office is in the process of filing an I-360 form, and will keep the local district office informed of the status of that petition. We are requesting that the Service holds Mrs. CLIENT NAME 's adjustment application in abeyance pending the approval of her Self-Petition.

Please note that 8 U.S.C. § 1367 and the May 5, 1997 Department of Justice memo interpreting that section establish clear standards regarding the confidentiality of records relating to battered immigrants. Congress enacted § 1367 precisely in order to secure the integrity of the immigration

process, and to secure the personal safety of victims of domestic violence in the event of threats by an abusive spouse of deportation and physical harm. Pursuant to 8 U.S.C. § 1367, violation of the prohibition can result in disciplinary action or civil penalties up to \$5,000. I site this provision here to urge the Service to take extreme caution in its handling of Mrs. CLIENT NAME's case.

On behalf of Mrs. CLIENT NAME, we look forward to the Service's response. If you have any questions, do not hesitate to contact me.

Sincerely,