

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT

[REDACTED]

IN THE MATTER OF)
)
 [REDACTED])
)
 Respondent)

IN REMOVAL PROCEEDINGS

File No.: 2 [REDACTED]

CHARGE: Section 237(a)(1)(B) – Present in violation of law

APPLICATION: Withholding of Removal and Withholding of Removal Under the
Convention Against Torture

ON BEHALF OF RESPONDENT:
Stewart Lin, Esq.
9999 Bellaire, #360
Houston, TX 77036

ON BEHALF OF THE GOVERNMENT:
[REDACTED]
Assistant Chief Counsel
[REDACTED]

DECISION AND ORDER OF THE IMMIGRATION JUDGE

I. PROCEDURAL HISTORY

[REDACTED] is a native and citizen of [REDACTED] who entered the United States on December 6, [REDACTED] on an [REDACTED] visa with authorization to remain until November 6, [REDACTED]. Respondent remained in the U.S. beyond November 6, [REDACTED]. On May 21, 2010, Respondent filed an application for withholding of removal and withholding of removal under the Convention Against Torture (CAT) with U.S. Citizenship and Immigration Services (USCIS).

On June 22, 2010, Respondent was issued a Notice to Appear (NTA). The NTA charged her with removability under INA § 237(a)(1)(B) and ordered her to appear before the Houston Immigration Court. Respondent appeared for a master calendar hearing on November 2, 2010 and admitted factual allegations 1 through 4 contained in the NTA. Respondent also conceded removability. At her individual hearing, Respondent testified in support of her application and the Immigration Judge reserved his decision to review the evidence.


Therefore, the Respondent has demonstrated eligibility for withholding of removal due to past persecution she suffered on account of her political opinion. As Respondent has shown that she merits relief in the form of withholding of removal, the Court does not find it necessary to reach the issue of whether she qualifies for relief pursuant to the Convention Against Torture, 8 C.F.R. § 1208.16.

V. CONCLUSION


Respondent's evidence in support of her withholding of removal application establishes that Respondent suffered past persecution and links the abuse suffered to her political opinion. Therefore, the Court will grant her application for withholding of removal.

It is hereby ORDERED that Respondent's application for withholding of removal is GRANTED.

Any appeal of this decision is due within 30 days of this decision, which means that the appeal is due on or before December 19, 2012.



Immigration Judge


Date: November 19, 2012

cc: all parties