

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
[CITY, STATE]**

IN THE MATTER OF [REDACTED] (RESPONDENT)	IN REMOVAL PROCEEDINGS A# [REDACTED]
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DECLARATION OF [REDACTED], RESPONDENT'S SPOUSE

I, [REDACTED], upon my personal knowledge, and in accordance with 28 U.S.C. § 1746, declare as follows:

Introduction

1. My name is [REDACTED] and I was born on [REDACTED] 1983 in [REDACTED] Illinois. I am a Specialist in the United States Army currently assigned to [REDACTED] Maryland. There, I serve as Supervisor of the Clinic and am the Non-Commissioned Officer in Charge.
2. [REDACTED] and I have been together for over twelve years and married for four years. Together, we have two children, [REDACTED] and [REDACTED], and they are ten and seven years old, respectively.

Meeting my husband [REDACTED]

3. I met my husband [REDACTED] at the end of 1998. [REDACTED]' brother was dating my aunt [REDACTED] and they had a little baby. [REDACTED] introduced me to [REDACTED] and we started talking and hanging out. I liked [REDACTED] because of his accent and his Latino roots. [REDACTED] was trying to learn English at the time and I tried teaching him words and pronunciation.
4. My father was a Pastor, so I was raised in a very strict environment. I was not allowed to date, so I only saw [REDACTED] when he came to visit me at work. We talked on the phone a lot and I really looked forward to spending time with him.

Our first child's birth and [REDACTED] demonstrating his love and support for us

5. After I turned eighteen (18) years old I became pregnant with our first child, [REDACTED]. [REDACTED] was very happy to become a father and wanted us to move in together. My parents were disappointed, and at the time my mother was battling kidney failure and my father had arthritis. I wanted to move in with [REDACTED] and start a family with him and our baby, but I also knew that my parents needed me so I stayed home with them.

6. At the beginning of 2002, my parents decided to sell our house in [REDACTED] and move back to [REDACTED] to see if the weather and the company of their relatives could help alleviate their illnesses. Three of my siblings were also moving back to [REDACTED] with them. I decided to accompany my parents to help them move and settle in their new home in [REDACTED]. I also wanted to make sure that my mom was going to receive adequate medical care in [REDACTED], so I went along for what I thought was going to be a short trip. I was about four months pregnant at the time.
7. My trip to [REDACTED] took longer than I expected and when I tried to return to [REDACTED] I was too far along into my pregnancy to travel and my doctor advised me not to travel and said he was not going to release my records until after the birth of my child. I had no choice but to stay in [REDACTED].
8. I talked to [REDACTED] almost every day when I lived in [REDACTED]. He was concerned about me and the well-being of our baby. He wanted me to return to [REDACTED], but he was very supportive of my decision to stay in [REDACTED] and help my mother through her medical treatment. [REDACTED] wanted to travel to [REDACTED] to be with me for the delivery, but he was scared to travel given the fact he is undocumented. I also understood the risk, and I supported his decision to stay in [REDACTED].
9. Our daughter [REDACTED] was born on [REDACTED] 2002. I called [REDACTED] from the hospital and told him that I had a baby girl. He was very happy. My parents and my family were very excited and immediately became attached to the baby. Since [REDACTED] was not present at the time I registered [REDACTED], she only has my last name. So I could honor [REDACTED], I decided to name our daughter [REDACTED]—given that [REDACTED]' middle name is [REDACTED]. We recently filed a petition to have [REDACTED]' last name added to [REDACTED]'s birth certificate and the petition is still pending.
10. I planned on returning to [REDACTED] soon after the baby was born, but my mother's health continued to deteriorate, so I had to stay. [REDACTED] wanted to meet our daughter [REDACTED] because he had only seen her in pictures, and I also wanted to be with him. [REDACTED] showed me that he truly loved me by supporting me during that time and by putting my needs before his.

Creating a home with [REDACTED]

11. I was able to return to [REDACTED] right after [REDACTED]'s first birthday. [REDACTED] came to pick us up at the airport and he was very excited. It was an emotional meeting. [REDACTED] cried while he hugged [REDACTED]. [REDACTED] became a great father quickly and cared for [REDACTED] while I looked for work.
12. We moved in to [REDACTED]' mother's home while we worked on getting back on our feet. I became pregnant with our second child [REDACTED] at the end of 2004 and he was born on [REDACTED] 2005. [REDACTED] was very emotional when [REDACTED] was born. He actually almost passed out! When [REDACTED] met [REDACTED] at the airport for the first time and when [REDACTED] was born are two of the few times that I have seen [REDACTED] cry.

13. Soon after [REDACTED] was born, we decided to rent an apartment just for our growing family. [REDACTED] and I worked hard to be able to provide for our children. I worked mostly in the retail industry while [REDACTED] worked as a painter for private contractors. It was difficult for [REDACTED] to find work during the winter months, so he stayed home and cared for our children.
14. [REDACTED]'s sister and her husband have been in the military for a long time and every time I saw them they talked about their experiences in the military and how much they liked it. They were always trying to recruit me, every time they saw me! I always wanted to be in the military, but because I dropped out of high school I thought chances of getting in were limited.
15. I thought about joining the military and the benefits it would bring to my family. I discussed it with [REDACTED] and he supported me fully. He was also aware of the sacrifices we would have to make to fulfill my dream and he agreed. [REDACTED] was willing to move around as needed and required by the U.S. government and be a stay at home father.

Getting married and enlisting in the U.S. Army

16. Growing up in a Christian home with Christian morals, I wanted to marry [REDACTED] and we often talked about getting married. He actually gave me an engagement ring for Valentine's Day in 2004. It was mostly the financial obligations that kept us from making it a reality. Finally, when we decided that I would pursue my dream of enlisting in the U.S. Army, I knew that in order to best protect my family and for all of us to receive military benefits, we needed to be legally married. I always wanted a big wedding, but I knew it could not happen at the time due to lack of time and money. So to make things easier, we went down to the city hall on [REDACTED] 2008 and got married. Our family and close friends gathered at our house and celebrated our union. It was a special time for all of us.
17. In [REDACTED] 2008, I enlisted in the military and was sent to [REDACTED] South Carolina for training. While I was there, I was able to complete my GED and obtain the basic military training at the same time. [REDACTED] stayed with our two children in [REDACTED] and cared for them during the first phase of my military service. It was easy for [REDACTED] to care for them in [REDACTED] because of the family support and good public transportation in the area that [REDACTED] could rely on to get places, unlike our current situation. Everything was going well and I was very proud of myself. I missed [REDACTED], the children, and my mother, who was still battling kidney failure. She had been receiving dialysis for several years and it was not helping.
18. In [REDACTED] 2008, I was notified that my mother was in the hospital and I was given permission to go see her in [REDACTED]. [REDACTED]'s sister who was stationed in Georgia at the time came to tell me the news in person. I broke down immediately. My mother passed away in [REDACTED] 2009. I was devastated, but I knew I had to keep on going for the sake of my family. [REDACTED] was the one who saw me through my sadness. He cared a lot about my mom

too and was therefore also upset, but he took the role of being the strong one for our family's sake. He made sure to keep the kids busy while I took time to grieve and tend to the responsibilities that came about from my mother's passing. I think that was the hardest thing I have had to face in my life thus far and I could not have faced it without [REDACTED] by my side.

19. Thanks to the money I was earning while I was in training, I was able to support our family while [REDACTED] cared for our children. [REDACTED] could not work because he was taking care of the kids full time. [REDACTED] is such an amazing father. Though he has a hard time expressing his feelings generally, which I assume is due to the lack of love and nurture from his childhood, he is very loving with our children and extremely protective, especially of [REDACTED]. He will not allow anyone else to take care of our children. Back in [REDACTED], we would rely on our families to help us with the children. Here in the Maryland, we have not met anyone that we would entrust our children to and I frankly don't have time to meet anyone. All I do is either work or spend time with my family.
20. I completed my basic military training in [REDACTED] 2009 and I was then sent to Texas for my medical training. After I completed the second phase of my training, I was given orders to station in Maryland at the [REDACTED]. I returned to [REDACTED] in [REDACTED] 2009 and I told [REDACTED] that we had to move to Maryland. I knew [REDACTED] would be sad to leave his family and friends in [REDACTED], but he 100% supported me and was simply happy for our family to be together again. We were all excited to be together again as a family and made the best out of the move.

Our new life in Maryland and dealing with [REDACTED]'s immigration case

21. In [REDACTED] 2009 we moved to Maryland and started looking for a place to live. We decided to rent an apartment in [REDACTED] MD. I was transferred to [REDACTED] MD since the [REDACTED] closed.
22. I have always been aware of the fact that [REDACTED] does not have legal status in the United States, and I always hoped that I would be able to help him since I am a U.S. citizen but we knew that it was going to be costly and we did not have the means to do it.
23. After we moved to Maryland, [REDACTED] and I started looking into him applying for TPS so he could obtain a work permit and our family could have some extra income. [REDACTED] went to the Honduran consulate in Washington D.C. and they helped him fill out the forms for the TPS, which he submitted. [REDACTED] received a receipt notice and also received an appointment for his biometrics. [REDACTED] submitted his biometrics and after a few months he received a response in the mail asking for more information regarding a previous DUI charge that [REDACTED] had while he lived in [REDACTED].
24. The request was a surprise to us; I knew [REDACTED] had been pulled over by police in Chicago while he was out partying with some friends many years ago, but we did not know that [REDACTED] had been charged with anything because he never received a court citation or anything like it. [REDACTED] decided to abandon his TPS application because we were scared

that he could be deported. We then hired an attorney in [REDACTED] to take care of the situation and he has since been able to get the charges dismissed.

25. In [REDACTED] 2011 [REDACTED] was convicted of theft of under \$100. I was not sure how he got into trouble to begin with, but he made a mistake, the first and only of this type. When he was arrested, he called me from the police station. I was shocked. This was completely uncharacteristic of him. When he was telling me in Spanish what had happened, I could hear a police officer in the background yelling at him not to speak Spanish and to speak English because “this is America.” Those comments made me feel bad for my husband.
26. We hired a criminal attorney to help [REDACTED] with the case because we were scared of the immigration consequences this could bring to [REDACTED]. [REDACTED] was sentenced to community service for three months on weekends and probation. While [REDACTED] completed his community service, his mother became sick and we had to travel to [REDACTED] to see her. The day we arrived from [REDACTED] or the next—I can’t remember—[REDACTED] was supposed to report for his community service and he was late. As a consequence, [REDACTED] was told to report to [REDACTED] jail. He was held there for nine days until his hearing. [REDACTED]’ case was dismissed since they found that he had already completed all his hours of community service. However, [REDACTED] was turned over to immigration because he is undocumented. [REDACTED] was released, but was given an ankle bracelet for monitoring. We were able to convince immigration to take off the ankle bracelet, but [REDACTED] still has to report to an immigration contractor—ISAP—every two weeks, receives a call from them every other Thursday, and he is also visited by immigration contractors at the house.
27. This was a very tough time for our family because so many bad things were happening to us. Even during this tough period and the other tough times that came before and after, [REDACTED] has always been there for me and the children. We are fully committed to each other and our family.

The unique difficulties of the past three months

28. While I thought that when [REDACTED] was first going to be deported was a tough period for our family, it has been especially tough for us the past few months with the stress of [REDACTED]’s potential deportation, my new assignment as supervisor, my medical issues, and an unlucky incident with our car.
29. I started in my capacity as supervisor of the clinic on [REDACTED] 2012 and my new, additional duties. On top of patient-care responsibilities, I manage the facility and am the go-to person if the doctors or clinical staff need anything. I am still there from 5 a.m.—meaning I have to wake up at 4 a.m.—until 6 p.m. or 7 p.m. unless I am on call in which case I am there until 9 p.m. or 10 p.m. though one time I had to stay until 11 p.m. I have to work a lot because the Army and the Navy merged in [REDACTED] 2011 and we lost a lot of the personnel that we used to have. Since then, it has been a lot tougher at work with the hours and responsibilities.
30. I work approximately ten to fifteen (15) hours per day and I can do it because I know my children are safe and are cared for by [REDACTED]. [REDACTED] has often been a father and mother at the

same time for our children. He walks them to the school bus, he cooks for them, he does the laundry, cleans the house, walks the dog, makes sure the children are clean, helps them with their homework, watches after them when they get sick, and so forth. I cannot imagine finding a person that can happily do so much for our children without expecting anything in return.

31. For over a year, I have been taking [REDACTED] to report to ISAP with immigration every other Thursday in [REDACTED]. Since we live in [REDACTED] Maryland in [REDACTED] it is tough to get [REDACTED] to his appointments and we have no one else to take him. This means I have to take him, which means I have to leave work at 12 p.m. to get him there before 3 p.m. Because we are so understaffed, this has caused difficulties for my colleagues, especially when only female technicians can assist female patients and we have a limited number of us, three including me. I feel bad leaving early and having my colleagues think I am skirting my duties when in reality driving to and from [REDACTED] is a big pain for our family given the time and gas money involved. I don't usually go with [REDACTED] inside the building to report because parking in [REDACTED] is difficult to find and the easy parking is expensive so I sit outside in the car. Then, on top of these complications, the lady who [REDACTED] reports to, [REDACTED], the case specialist, was really rude to him a couple of times and I had to call her supervisor to tell her that her employee had no right to treat my husband like that just because of his situation and him being in deportation proceedings. I can't believe I had to call the supervisor; all [REDACTED] did was ask valid questions and there was no reason for her being rude.
32. While in training for two weeks in [REDACTED] Texas in [REDACTED] 2009, I fractured my bone in my right foot below my big toe. I thought I had just sprained my foot but when I got back to [REDACTED] and had it checked out, the bone scan and x-rays showed that I broke bones and had to get surgery. I could not get the surgery right away though because I was low-priority for the [REDACTED] military treatment facility since, understandably, the first priorities are the soldiers coming back from Afghanistan and Iraq. After waiting and trying to get in for surgery through the military side, I finally decided to get the surgery through the civilian branch of the hospital.
33. My first surgery was in [REDACTED] 2011 to get the broken bones out. After that surgery, the pain increased with time and I had to wear these spacers to hold my toe in place. I had to take all kinds of pain medication and even had to go on a regimen that cancer patients have to undergo for the pain. I feel like I missed out on the 2011 holiday because of the pain and medication. I had complications with the surgery too in the form of an infection. I had to get a second surgery in [REDACTED] to fuse my toe in place—a procedure called “the great toe fusion”—and that is when I got 7 screws and a metal plate in my foot. Luckily, I did not have the same complications as with the first surgery and I was not in the same pain as the first surgery. In total, I was in a boot cast and crutches for 5 months: one month after the first surgery and four months after the second surgery. My third and last surgery should occur in the next 4 months. In that surgery, I am supposed to get the hardware removed from my foot. I can't wait to be fully mobile and healthy again. This past summer, I felt like I missed out on so many activities with the kids like going to the park and the pool.

34. During the storms we had in [REDACTED] our only family car was destroyed by a tree that fell on top of it. It was so unlucky because ours was the only car out of the 20 cars or so in the apartment complex parking lot that this happened to. Since I have to drive myself to work, I had to rent a car while the insurance declared my car a total loss and this took about 2 weeks. There were so many insurance claims because of the storm that it took them a while to process the claim. There was so much paperwork and calls I had to deal with for this incident. If [REDACTED] had legal status and a driver's license during this, I would not have had to deal with a rental car and that stress on top of being in a boot for my foot fracture. We would have 2 cars and he could have taken me to and from work. We got a new car in the end of [REDACTED].
35. I started going to therapy last month and have been to four sessions with the doctor at the [REDACTED]. I had heard from others in the military that therapy had helped them a lot. I am really glad I decided to go and I think the sessions have helped a lot. I have cried like a baby and I never thought I would be one of those persons. It felt good to talk to him; I had no idea how much stress I have been carrying.

The hardship our family would face if [REDACTED] is deported

36. If [REDACTED] is deported back to Honduras, it would break our family apart. I would have to leave the military since I would not have a family-care plan, which is required by the U.S. Army. [REDACTED] is the one who cares for our children when I am at work, and if I get deployed somewhere else he will be the one I will count on to care for the kids. I don't have any other family here in Maryland. My closest family is in [REDACTED]. My father is still battling arthritis and is getting older, and my siblings have families of their own and finances to worry about. Even my father is remarried and now has five children to feed, including my youngest sister.
37. During the time [REDACTED] was in [REDACTED] jail for nine (9) days, my son [REDACTED] cried every day asking for his father. I didn't know what to tell him. [REDACTED] is very attached to his father and if [REDACTED] is deported it would break his heart. My daughter can already sense that something may happen to her father, but we haven't been able to bring ourselves to tell them about our reality. I just hope that we don't have to because all we want is to have [REDACTED] at our side being the father figure and supporting us like he has always being.
38. I also worry about [REDACTED] returning to Honduras, a country he left when he was very young and where he has no relatives. [REDACTED]' mother lives in [REDACTED] and his other siblings reside in other states within the United States. [REDACTED]' sister is in the military and has been deployed to [REDACTED] for at least two years. [REDACTED]' grandmother resides in Florida. I don't know where would [REDACTED] live or what he would do for a living there.
39. I refuse to move to Honduras with my children because it is a place that I don't know—I have never been there— and based on what I hear in the news I know Honduras cannot provide the safety I need for my children. I hear that there are a lot of killings and kidnappings there and I don't want my children to become a target. In Honduras, I don't

think my children would be able to have access to the type of health services that the military offers them here. I don't even know if my children would be able to access other services that are essential for my children's growth, such as education. I also don't want to quit my job because I really like it.

40. I have a commitment with the United States Army until [REDACTED] 2013 and I wish to honor this commitment and reenlist for a longer period of time. I enjoy being a part of the military and the stability this career offers my family and me. I am a combat medic and am proud of my service to my country. But, I cannot re-enlist if my family is going to be separated. I cannot be assigned abroad without [REDACTED] to care for our children and I have no one here in the United States who can care for them while I am abroad.
41. I plan to re-enlist once the three month re-enlistment period begins. If I re-enlist, it is almost a guaranteed that I will be deployed, and I look forward to being deployed—it was one of the reasons I joined the Army, in fact— as long as my family is with me. Usually, the military tries to send those who have not yet been deployed first before re-deploying others. I was supposed to be deployed, but I was able to have my orders to [REDACTED] deleted because of my husband's immigration case. I felt very grateful that my unit and superiors supported me because I know it took a lot of their time and effort to accomplish this and keep me here and thus keep my family together. I was so relieved when I was told that I did not have to go to [REDACTED] and be separated from my family during this difficult time.
42. I know that one of [REDACTED]'s goals is to also join the military. I think it would be good for him and I know that the military keeps families together so there would not be a risk of us getting separated if either of us receives orders for deployment or re-assignment. Also, it would be nice to have [REDACTED] to talk to about my job and the military since I sometimes feel like civilians don't understand military lives.
43. I think that if [REDACTED] got legal status it would help our family in so many ways. This would take strain off of me financially of me being the only breadwinner. Everything is so expensive in this area so it's been really hard. He would be able to benefit from a lot of the military programs from spouses like school tuition. [REDACTED] wants to go into the military and he is also interested in other professions like being a barber, which the Army could cover the tuition for him to go to the trade school. I think he is eager to do something with his life. I think [REDACTED] is in a rut because he wants to work and is always at home. He was really depressed when he had his ankle bracelet and now he gets depressed less, but it still happens. We would be able to travel as a family; I would love to take him to [REDACTED] so he could meet my family there. My daughter would stop worrying about him and asking so many questions about [REDACTED]. My daughter often asks when he goes out to walk the dog, for example, "where is dad? Why is he taking so long? Why don't you call him on his cell phone?" I think all of us could have peace of mind that we will be together. With my career, I would be able to serve my country fully and respond to any and all orders, without any problem or concern.
44. Personally, losing my mother was the hardest thing I have had to face yet in life. I am so lucky to have had [REDACTED] by my side during that agony and in general over the past 12 years.

If he is taken from me, there would be no one there to help me emotionally and to readjust. I worry about how I will get through such a loss and how my children will cope. I love my husband I am asking you respectfully to allow him to stay legally in the United States.

Executed: [REDACTED] MD

[REDACTED]
Specialist in the United States Army