

ATTN: VAWA OFFICE

VIA CERTIFIED MAIL

DATE

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Vermont Service Center
ATTN: VAWA OFFICE
75 Lower Welden Street
St. Albans, VT 05479-9400

**Re: I-360 Self-Petition for Classification as the Abused Spouse of a US
Citizen
I-485 Application for Adjustment of Status
I-765 Application for Employment Authorization
on behalf of XXXX**

Dear Sir or Madam:

Enclosed, please find Ms. XXX's I-360 Self-Petition for classification as the spouse of an abusive United States Citizen under the Violence Against Women Act (VAWA). *See* INA § 204(a)(1)(A)(iii). The following documents are included in support of Ms. XXX's Petition:

Immigration Forms and Identity Documents for Ms. XXX:

- Exhibit 1. Form G-28, Notice of Entry of Appearance as Attorney for Form I-360
- Exhibit 2. Form I-360, Self-Petition and supporting evidence (Exhibits 1-23)
- Exhibit 3. Form G-28, Notice of Entry of Appearance as Attorney for Form I-485
- Exhibit 4. Form I-485, Application for Adjustment of Status

XX XXX (A# NONE)

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- Exhibit 5. Form I-912, Application for Fee Waiver and Supporting Documentation
 - Copies of Ms. XXX's paystubs
 - Copies of Ms. XXX's bank statements
- Exhibit 6. Form G-325A
- Exhibit 7. Form I-864W
- Exhibit 8. Two photographs of Ms. XXX
- Exhibit 9. Birth Certificate of Ms. XXX
- Exhibit 10. Form G-28 Notice of Entry of Appearance as Attorney for Form I-765
- Exhibit 11. Form I-765 Application for Employment Authorization
- Exhibit 12. Two photographs of Ms. XXX
- Exhibit 13. Copy of Ms. XXX's Current Passport
- Exhibit 14. Copy of Ms. XXX's Expired Passport
- Exhibit 15. Copy of Ms. XXX's birth certificate w/translation
- Exhibit 16. Copy of Ms. XXX's Driver's License, issued by the State of AAAA
- Exhibit 17. A copy of the Fiancé Petition Approval Notice
- Exhibit 18. A copy of the K-1 visa from Ms. XXX's passport
- Exhibit 19. A copy of the Marriage Certificate of Ms. XXX and Mr. YYY
- Exhibit 20. Declaration of XX XXX

Evidence of United States Citizen Status of Abuser, YYY:

- Exhibit 21. Copy of US passport of YYY

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Evidence of Petitioner’s Good Faith Marriage:

- Exhibit 22. Copy of Commonwealth of Virginia Marriage Register, Marriage License, and Marriage Certificate of Ms. XXX and Mr. YYY, issued in [city], Virginia, on [date]
- Exhibit 23. Birth Certificate of ZZZ, son of Ms. XXX and Mr. YYY, born [date], issued by the [state] Department of Health and Human Services
- Exhibit 24. Copies of Photographs of Ms. XXX, Mr. YYY, and their son, ZZZ

Evidence of Petitioner’s and Abuser’s Shared Residence:

- Exhibit 25. Copy of joint lease
- Exhibit 26. Copy of Geico Indemnity Company Verification of Coverage addressed to Mr. YYY and XX

Evidence of Domestic Abuse Suffered by the Petitioner:

- Exhibit 27. Military Police Report – Sworn Statement of XX XXX
- Exhibit 28. Temporary Protective Order
- Exhibit 29. Medical Records
- Exhibit 30. Letter of Support of [name], friend of Ms. XXX

Evidence of Petitioner’s Good Moral Character

- Exhibit 31. FBI Criminal Background Check for XX XXX

Ms. XXX qualifies as the battered spouse of a United States citizen as demonstrated by evidence of (1) Ms. XXX’s identity and status as a citizen of COUNTRY; (2) the status of her husband, YYY, as a United States citizen; (3) the couple’s good faith marriage; (4) Ms. XXX’s shared residence with Mr. YYY; (5) the

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physical, sexual, and emotional abuse inflicted upon Ms. XXX by Mr. YYY; and (6) Ms. XXX's good moral character. INA § 204(a)(1)(A)(iii).

First, as demonstrated by Exhibit 21, Mr. YYY, a native of [country], is a United States citizen.

Ms. XXX entered into her marriage with YYY in good faith. Ms. XXX married Mr. YYY on [date], in [city], Virginia, after a year of courtship. Ms. XXX then moved to North Carolina with Mr. YYY for his military service. While stationed at Fort Bragg, the couple had a child together. Photographs document the family's life together.

Ms. XXX shared two residences with her husband, Mr. YYY. When the couple first moved to North Carolina for Mr. YYY's military service at Fort Bragg, they lived off-base. A few months later, the couple moved onto the base, residing at [address]. The Geico Verification of Coverage indicates that Ms. XXX and Mr. YYY lived together at [address].

Ms. XXX also suffered significant abuse as the spouse of Mr. YYY. Abuse includes not only physical harm but also "extreme cruelty," which is "any act or threatened act of violence...which results or threatens to result in physical or mental injury." 8 C.F.R. 204.2(c)(1)(vi). Acts of violence include "[p]sychological or sexual abuse or exploitation," as well as "[o]ther abusive actions...that, in and of themselves, may not appear violent but that are a part of an overall pattern of violence." 8 C.F.R. 204.2(c)(1)(vi).

Ms. XXX suffered physical, sexual, and emotional abuse at the hands of her U.S. citizen husband, Mr. YYY. In her declaration, Ms. XXX describes how Mr. YYY physically abused her on an almost daily basis. In addition to hitting and punching her with his fists, Mr. YYY used household items like spatulas, extension cords, and remote controls to beat Ms. XXX. Mr. YYY also choked Ms. XXX on more than one occasion. Finally, Mr. YYY did not cease his physical assaults of Ms. XXX during her pregnancy, nor did he refrain from attacking her while she was caring for their son. Indeed, Mr. YYY once tore ZZZ out of Ms. XXX's arms when she was feeding him, threw the child onto a nearby bed, then proceeded to beat Ms. XXX.

Emotional abuse often accompanied Mr. YYY's physical assaults of Ms. XXX. Mr. YYY constantly insulted Ms. XXX, often calling her "stupid" and making other derogatory comments. Mr. YYY also severely limited Ms. XXX's social contacts and

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movement outside of the home. Finally, Mr. YYY attempted to keep Ms. XXX from reporting the physical abuse to the military police by suggesting that such actions would jeopardize her immigration status.

Mr. YYY also sexually abused Ms. XXX throughout their marriage. Mr. YYY forced Ms. XXX to have sexual intercourse with him. Mr. YYY pinned Ms. XXX down and hit her if she refused to perform various sexual acts with him. Mr. YYY also forced Ms. XXX to engage in sexual acts while he watched pornographic videotapes and beat her if she refused.

Finally, as Ms. XXX's criminal background check and the attached documents demonstrate, Ms. XXX is a person of good moral character. Ms. XXX married Mr. YYY, a United States citizen, in good faith. Ms. XXX moved to North Carolina with Mr. YYY and resided with him in hopes of building a life together. Instead, she was subjected to constant physical, emotional, and sexual abuse. After several years of suffering this extreme violence and cruelty, Ms. XXX is working to build a life for herself and her son, free from the fear of Mr. YYY's attacks and abuse. Therefore, she seeks approval of her petition for classification as the battered spouse of a United States citizen.

Thank you for your consideration. Should you have any questions please do not hesitate to contact me.

Sincerely,

[Attorney's name]
Attorney at Law