

Leanne Reetz Hightower, Esq.
Barringer Law Firm. P.C.
5660 Greenwood Plaza Boulevard
Suite 445
Greenwood Village, CO 80111
Phone (303) 377-2338
leanne@barringerlawfirm.com
Attorney for Petitioner

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLORADO**

_____)
)
GERSON PEREZ RIVAS,)
)
Petitioner,)
)
v.)
)
JUAN BALTASAR, Warden, Aurora ICE)
Processing Center;)
TODD LYONS, Acting Director of)
U.S. Immigration and Customs Enforcement;))
KRISTI NOEM, Secretary of the U.S.)
Department of Homeland Security; and)
PAM BONDI, Attorney General of the)
United States)
in their official capacities,)
)
Respondents.)
_____)

Case No. 1:25-cv-3981

**VERIFIED PETITION FOR WRIT
OF HABEAS CORPUS AND
COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF FOR AN
ORDER TO SHOW CAUSE**

ORAL ARGUMENT REQUESTED

INTRODUCTION

1. Petitioner, Gerson Perez Rivas, is a noncitizen in the custody of Immigration and Customs Enforcement ("ICE") at Aurora ICE Processing Center ("AIPC"), operated by GEO Group, Inc. Petitioner was detained on March 12, 2025, and has remained in custody since that date, and no neutral decisionmaker, whether a federal judge or an

immigration judge ("IJ"), have conducted a hearing to determine whether this lengthy incarceration is warranted based on danger or flight risk.

2. Petitioner's prolonged detention without a hearing on danger and flight risk violates the Due Process Clause of the Fifth Amendment.
3. The Due Process Clause of the Fifth Amendment forbids such arbitrary and prolonged detention. Respondents have never justified Petitioner's continued detention at a hearing before a neutral decisionmaker with any evidence of danger or flight risk.
4. Therefore, Petitioner asks this Court for a writ of habeas corpus to vindicate his right to due process and to seek relief from his continued arbitrary detention.
5. Additionally, Petitioner asks this Court to find that Petitioner's continued detention is unconstitutional as applied to him, and to order his release or alternatively, order a bond hearing to be conducted where the government must prove by clear and convincing evidence that any continued detention of Petitioner is justified.

JURISDICTION

6. Petitioner is in the physical custody of Respondents and ICE, an agency within the Department of Homeland Security ("Department" or "DHS"). He is detained at the AIPC in Aurora, Colorado, which is under the direct control of Respondents and their agents.
7. This action arises under the Constitution of the United States ("U.S.") and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 *et seq.*
8. This Court has subject matter jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause).

9. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 *et. seq.*, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.
10. Nothing in the INA deprives this Court of Jurisdiction, including 8 U.S.C. § 1252(b)(9), 1252(f)(1), or 1226(e). Congress has preserved judicial review of challenges to prolonged immigration detention. *See Jennings v. Rodriguez*, 138 S. Ct. 830, 839-841 (2018) (holding that 8 U.S.C. §§ 1226(e), 1252(b)(9) do not bar review of challenges to prolonged immigration detention); *see also id.* at 876 (Breyer, J., dissenting). (“8 U.S.C. § 1252(b)(9) . . . by its terms applies only with respect to review of an order of removal”) (internal quotation marks and brackets omitted).

VENUE

11. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the District of Colorado, the judicial district in which Petitioner is currently in custody.
12. Additionally, venue is proper in this District because Respondents are officers, employees, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in this District of Colorado. 28 U.S.C. § 1391(e).

REQUIREMENTS OF 28 U.S.C. § 2243

13. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (“OSC”) to Respondents “forthwith,” unless Petitioner is not entitled to relief. 28 U.S.C. § 2243. If the Court issues an OSC, it must require Respondents to file a return

“within three days unless for good cause additional time, not exceeding twenty days, is allowed.” *Id.*

14. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ affords “a swift and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added).

PARTIES

15. Petitioner is a native and citizen of Venezuela who presented at a U.S. port of entry pursuant to an appointment scheduled through the CBP One mobile application, a DHS platform that allowed certain noncitizens to schedule lawful processing at the border. Upon inspection by Customs and Border Protection, Petitioner was found to be otherwise inadmissible and was granted humanitarian parole under INA § 212(d)(5) and issued a Form I-94 documenting parole. Petitioner was not formally admitted into the U.S.; however, Petitioner was released from custody on parole following his CBP One appointment.
16. Respondent Juan Baltasar is the Warden of the Aurora ICE Processing Center, and he has immediate physical custody of Petitioner pursuant to the facility’s contract with U.S. Immigration and Customs Enforcement to detain noncitizens and is a legal custodian of Petitioner. Respondent Juan Baltasar is a legal custodian of Petitioner.
17. Respondent Todd Lyons is sued in his official capacity as the Acting Director of U.S. Immigration and Customs Enforcement. Respondent Todd Lyons is a legal custodian of Petitioner and has authority to release him.

18. Respondent Kristi Noem is sued in her official capacity as the Secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent Kristi Noem is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees U.S. Immigration and Customs Enforcement, the component agency responsible for Petitioner's detention. Respondent Kristi Noem is a legal custodian of Petitioner.
19. Respondent Pam Bondi is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA. Respondent Pam Bondi is a legal custodian of Petitioner.

STATEMENT OF FACTS

20. Petitioner is a native and citizen of Venezuela. Petitioner has a U.S. citizen wife and infant daughter, born August 2025. Prior to being detained, Petitioner worked with his mother-in-law at her bakery and was a productive member of his community.
21. Petitioner received a grant of parole after entering the United States ("U.S.") on January 16, 2024, under INA § 212(d)(5) for humanitarian reasons/public benefit. That same day, the Department of Homeland Security ("DHS" or "Department") issued a Notice to Appear ("NTA") to Petitioner alleging that Petitioner was removable from the U.S. pursuant to INA § 212(a)(7)(A)(i)(I). This NTA ordered Petitioner to appear at an immigration court on February 4, 2027, to respond to the allegations and charges in said NTA.

22. Petitioner's parole was valid through April 6, 2025. Petitioner applied for authorization to seek employment through Form I-765 pursuant to this parole, and Petitioner was granted employment authorization from April 3, 2024, through January 14, 2026.
23. Petitioner has been detained since March 12, 2025, without a bond hearing. Petitioner requested a bond hearing, but the IJ held that Petitioner was correctly categorized as an arriving alien, and the IJ did not have jurisdiction to hear a bond request. As such, no neutral decisionmaker, whether a federal judge or an IJ, have conducted a hearing to determine whether this lengthy incarceration is warranted based on danger or flight risk.
24. Petitioner filed a Motion to Terminate Proceedings on May 13, 2025, alleging the Department revoked Petitioner's parole without notice and detained him without lawful authority and without notice in violation of the Fifth Amendment. As such, Petitioner alleged his detention was arbitrary and lacked statutory foundation required by *Zadvydas v. Davis*, 533 U.S. 678 (2001).
25. In response, the Department argued Petitioner's parole was terminated as a matter of discretion. The Department also argued that because the Department's Form I-213 stated that an ICE detainer (Form I-247) and warrant for arrest (Form I-200) were approved, that Petitioner was lawfully arrested and detained. Additionally, the Department that Petitioner's parole expired on April 6, 2025. The Department argued that upon termination of parole, the regulations mandate a noncitizen be "restored to the status he or she had at the time of parole." The Department also argued that Petitioner was arrested pursuant to a warrant for arrest, however the Department did not produce said warrant for arrest.¹

¹ The Department's only evidence that a warrant for arrest existed was a notation in Petitioner's Form I-213 that stated a warrant for arrest was approved.

26. On May 21, 2025, an IJ denied Petitioner's Motion to Terminate, finding Petitioner did not provide evidence he was admitted into the U.S. or that he had a valid entry document, such as a visa, reentry permit, or border crossing card.
27. On September 15, 2025, Petitioner's wife, Flor Balderamma ("Flor") filed Form I-130, and an interview for this application was held on November 13, 2025, with United States Citizenship and Immigration Services ("USCIS"). The application was approved on November 14, 2025.
28. Petitioner filed an application to Register Permanent Residence or Adjust Status, Form I-485, with USCIS on or about November 19, 2025. Because Petitioner is classified as an arriving alien, USCIS has exclusive jurisdiction to adjudicate Petitioner's Application to Adjust Status. *See* 8 C.F.R. § 1245.2(a)(1)(ii).
29. On December 2, 2025, USCIS issued Policy Memorandum ("PM") 602-0192 that states effective that same day, USCIS personnel must place a hold on pending benefit requests for aliens from countries listed in Presidential Proclamation (PP) 10949. PP10949 includes Venezuela as a "high-risk" country. PM 602-0192 lists Application to Register Permanent Residence or Adjust Status, Form I-485, as a "pending benefit request". *See* PM 602-0192, footnote 4.
30. On December 2, 2025, once Petitioner received an approved I-130 and submitted Form I-485 to USCIS, Petitioner again moved to terminate his proceedings with the court pursuant to INA § 1003.18(d)(1)(ii)(B). However, the Department objected stating that USCIS can adjudicate Petitioner's Form I-485 while he is detained. The Department made no objections based on danger or flight risk. The Department's sole argument was that since it is possible for USCIS to adjudicate Petitioner's application to adjust status to

that of a lawful permanent resident while he is detained, Petitioner should remain detained. Undersigned counsel noted that PM-602-0192 will cause Petitioner to effectively remain detained indefinitely. However, the motion was denied, and the Petitioner remains detained awaiting a decision from USCIS on his application to register permanent residence or adjust status.

LEGAL FRAMEWORK

31. “It is well established that the Fifth Amendment entitles [noncitizens] to due process of law in deportation proceedings.” *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting *Reno v. Flores*, 507 U.S. 292, 306 (1993)). “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty” that the Due Process Clause protects. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *see also id.* at 718 (Kennedy, J., dissenting) (“Liberty under the Due Process Clause includes protection against unlawful or arbitrary personal restraint or detention.”). This fundamental due process protection applies to all noncitizens, including both removable and inadmissible noncitizens. *See id.* at 721 (Kennedy, J., dissenting) (“[B]oth removable and inadmissible [noncitizens] are entitled to be free from detention that is arbitrary or capricious”).
32. Due process requires “adequate procedural protections” to ensure that the government’s asserted justification for physical confinement “outweighs the individual’s constitutionally protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690 (internal quotation marks omitted). In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention—to mitigate the risks of danger to the community and to prevent flight. *Id.*; *Demore*, 538 U.S. at 528. 26.

33. Due process requires that the government provide bond hearings to noncitizens facing prolonged detention.
34. Immigration detention should not be used as a punishment and should only be used when, under an individualized determination, a noncitizen is a flight risk because they are unlikely to appear for immigration court or a danger to the community. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Immigration detention is a form of civil confinement that “constitutes a significant deprivation of liberty that requires due process protection.” *Addington v. Texas*, 441 U.S. 418, 4253 (1979).
35. Noncitizens in immigration proceedings are entitled to Due Process under the Fifth Amendment of the U.S. Constitution. *Reno v. Flores*, 507 U.S. 292, 306 (1993). The INA establishes various procedures through which individuals may be detained pending a decision on whether the noncitizen is to be removed. 8 U.S.C. § 1226(a).
36. Removal proceedings described in section 240 of the INA are used to determine whether individuals, such as Petitioner, should be removed from the United States. *See* 8 U.S.C. § 1229a.

CLAIMS FOR RELIEF

COUNT ONE

Violation of Fifth Amendment Right to Due Process

The allegations in the above paragraphs are realleged and incorporated herein.

37. The Fifth Amendment's Due Process Clause protects persons, including noncitizens detained under immigration law, from prolonged arbitrary detention.

38. Petitioner's continued detention for more than eight months without a meaningful opportunity to contest the necessity and reasonableness of his custody violates the Due Process Clause.

- a. Petitioner's detention has become prolonged and is not reasonably related to any valid immigration purpose. Petitioner is at the mercy of USCIS, who has exclusive jurisdiction to adjudicate his Form I-485. Petitioner submitted his application to USCIS; however, Petitioner has not yet received a receipt notice. Once his case is received, the approximate time for processing according to USCIS is 9.5 months.
- b. PM 602-0192 issued by USCIS directs all USCIS personnel to "[p]lace a hold" on pending benefit requests from a list of countries, including Venezuela. This "hold" will be re-evaluated in 90 days. As such, because Petitioner is Venezuelan, and because USCIS has exclusive jurisdiction over his application, Petitioner has effectively been sentenced to immigration detention indefinitely: the punitive effect of detention grossly disproportionate to its purpose; and
- c. Petitioner has been deprived of the meaningful procedural protections necessary to justify restraint on his liberty.

Absent habeas relief, Petitioner will continue to suffer irreparable constitutional harm.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

- (1) Assume jurisdiction over this matter;

- (2) Enjoin Petitioner's removal or transfer outside the jurisdiction of this Court and the United States pending its adjudication of this petition;
- (3) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days.
- (4) Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment;
- (5) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately or schedule a bond hearing before an immigration judge and, at such hearing, require the government to justified continued detention by clear and convincing evidence and, if it cannot, afford Petitioner release on bond or conditional parole;
- (6) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and
- (7) Grant any further relief this Court deems just and proper.

Respectfully submitted,

/s/ Leanne Reetz Hightower
Leanne Reetz Hightower, Esq.
Barringer Law Firm, P.C.
5660 Greenwood Plaza Blvd.
Suite 445N
Greenwood Village, CO 80111
Counsel for Petitioner

Dated: December 11, 2025

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Gerson Perez Rivas, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 11th day of December 2025.

/s/ Leanne Reetz Hightower
Leanne Reetz Hightower, Esq.

Petitioner's Evidence in Support of Writ of Habeas Corpus		
Exh.	Description	Pages
A	ICE Detention Records	14
	Notice to Appear	15-18
	Form I-213	19-21
B	Immigration Court Filings	22
	04/18/2025 Immigration Judge Bond Decision	23-24
	05/13/2025 Motion to Terminate, Failure to Revoke Parole	25-33
	05/20/2025 DHS Opposition to Motion to Terminate	34-44
	05/21/2025 Immigration Judge Order, Motion Denied	45-46
	12/04/2025 Motion to Terminate, Eligible to Adjust Status	47-89
C	USCIS Policy Memorandum	90
	PM 602-0192: Hold and Review of all Pending Asylum Applications and all USCIS Benefit Applications Filed by Aliens from High-Risk Countries ¹	91-94

Exhibit A

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:

Event No: [REDACTED]

Subject ID : [REDACTED] FIN #: [REDACTED]
SIGMA Event: [REDACTED] DOB: [REDACTED]
In the Matter of: PEREZ RIVAS, GERSON ELEAZAR

File No: [REDACTED]

Respondent: PEREZ RIVAS, Gerson Eleazar currently residing at:
[REDACTED] (Number, street, city, state and ZIP code) [REDACTED] (Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of VENEZUELA and a citizen of VENEZUELA;
3. On or about January 16, 2024, you applied for admission to the United States at the Brownsville, Texas Port of Entry;
4. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Immigration and Nationality Act.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

See Continuation Page Made a Part Hereof

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

2975 S DECKER LAKE DR STE 200,
WEST VALLEY, UT, US 841196094

(Complete Address of Immigration Court, including Room Number, if any)

on February 4, 2027 at 02:00 PM to show why you should not be removed from the United States based on the
(Date) (Time) RODRIGUEZ, Jose

charge(s) set forth above.

CBP OFFICER

(Signature and Title of Issuing Officer)

Digitally Acquired Signature

Date: January 16, 2024

BROWNSVILLE, TEXAS

(City and State)

EOIR - 1 of 4

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form 1-589, Application for Asylum and for Withholding of Removal. The Form 1-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form 1-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date: _____


(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on January 16, 2024, in the following manner and in compliance with section 239(a)(1) of the Act.


- in person by certified mail, returned receipt# _____ requested by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.



(Signature of Respondent if Personally Served)

RODRIGUEZ, Jose
CBP OFFICER



(Signature and Title of Officer)

EOIR - 2 of 4

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

U.S. Department of Homeland Security

Continuation Page for Form 1862

Alien's Name PEREZ RIVAS, GERSON ELEAZAR	File Number [REDACTED] SIGMA Event: [REDACTED] Event No: [REDACTED]	Date January 16, 2024
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ON THE BASIS OF THE FOREGOING, IT IS CHARGED THAT YOU ARE SUBJECT TO REMOVAL FROM THE UNITED STATES PURSUANT TO THE FOLLOWING PROVISION(S) OF LAW:

212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

Signature  RODRIGUEZ, Jose	Title CBP OFFICER
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Digitally Acquired Signature

4 of 4 Pages

U.S. Department of Homeland Security

Subject ID : 398176096

Record of Deportable/Inadmissible Alien

Family Name (CAPS) PEREZ-RIVAS, GERSON ELEAZAR		First	Middle	Sex M	Hair BLK	Eyes BRO	Cmplxn LBR
Country of Citizenship VENEZUELA	Passport Number and Country of Issue	[Redacted]		Height 66	Weight 143	Occupation	
U.S. Address				Scars and Marks See Narrative			
Date, Place, Time, and Manner of Last Entry 01/16/2024 Unknown Time, BRO, WI - Without Inspection			Passenger Boarded at	F.B.I. Number [Redacted]	<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated		
Number, Street, City, Province (State) and Country of Permanent Residence				Method of Location/Apprehension CLC			
Date of Birth [Redacted]	Age: 26	Date of Action	Location Code GJC/DEN	At/Near See I-831	Date/Hour 03/10/2025 16:17		
City, Province (State) and Country of Birth VALENCIA ESTADO CARABOB, VENEZUELA		AR <input checked="" type="checkbox"/>	Form : (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>	By J. 05828 NICKOLES			
NIV Issuing Post and NIV Number		Social Security Account Name		Status at Entry	Status When Found		
Date Visa Issued	Social Security Number			Length of Time Illegally in U.S.			
Immigration Record POSITIVE - See Narrative			Criminal Record See Narrative				
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)				Number and Nationality of Minor Children None			
Father's Name, Nationality, and Address, if Known PEREZ, GERSON NATIONALITY: VENEZUELA		Mother's Present and Maiden Names, Nationality, and Address, if Known RIVAS, BEATRIZ NATIONALITY: VENEZUELA					
Monies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks See Narrative	Charge Code Words(s) See Narrative			
Name and Address of (Last/Current) U.S. Employer		Type of Employment	Salary	Employed from/to Hr			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) FIN: [Redacted] Left Index fingerprint Right Index fingerprint 							
SCARS MARKS AND TATTOOS ----- SCAR ABDOMEN - scar on lower abdomen							
IMMIGRATION RECORD ----- History was expected but not provided Subject Health Status ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges _____ (Date/Initials)				_____ (Signature and Title of Immigration Officer)			
Distribution:			Received: (Subject and Documents) (Report of Interview)				
			Officer: _____				
			on: _____ (time)				
			Disposition: Other _____				
			Examining Officer: _____				

EOIR - 6 of 11

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name PEREZ-RIVAS, GERSON ELEAZAR	File Number [REDACTED] Event No: [REDACTED]	Date 05/20/2025
---	---	--------------------

The subject claims good health.

Current Administrative Charges

03/10/2025 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA

Previous Criminal History

No Crimes selected for inclusion on the I-213.



FUNDS IN POSSESSION

United States Dollar 10.00

AT/NEAR

Montrose, Colorado

Record of Deportable/Excludable Alien:

ENCOUNTER

Subject, Perez-Rivas, Gerson, was identified through routine jail checks in Montrose County, Colorado on March 10, 2025. Subject was arrested for driving under the influence, careless driving, controlled substance possession and drug paraphernalia-possess. ICE/CIS records checks indicate subject is a citizen and national of Venezuela by virtue of birth. Subject was not in possession of valid immigration documents that would allow subject to be in or remain in the United States legally. An ICE detainer I-247 and I 200 were approved.

ENTRY DATA/IMMIGRATION HISTORY

ICE/CIS records checks revealed subject entered the United States at or near Brownsville, Texas on or about January 16, 2024, and entered with a CBP one appointment. This location was designated as a port of entry by the Attorney General or the Secretary of the Department of Homeland Security.

ICE/CIS records checks indicate subject was issued a Notice to Appear on January 16, 2024. Subject is scheduled for Immigration Court on February 04, 2027.

ICE/CIS records checks revealed subject has an approved work authorization.

FAMILY INFORMATION

Subject stated that both parents are citizens and nationals of Venezuela by birth and do not claim and have never claimed any immigration status in the United States

CRIMINAL HISTORY

Signature	Title
-----------	-------

EOIR - 7

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name PEREZ-RIVAS, GERSON ELEAZAR	File Number [REDACTED] Event No: [REDACTED]	Date 05/20/2025
---	---	--------------------

Subject was, on March 09, 2025, arrested by Montrose Police Department in the County of Montrose, Colorado for the offenses of driving under the influence, careless driving, controlled substance possession and drug paraphernalia possession. These charges are still pending. Case number 2025M125 Montrose, Colorado.

GANG AFFILIATION/PUBLIC SAFETY THREAT
Subject claims no gang affiliation.

U. S. MILITARY HISTORY
Subject claims no affiliation with the United States military.

SQ-11/NN-13 records checks for outstanding wants, warrants and lookouts were negative.

FUNDS
\$10.00
[REDACTED]

MEDICAL INFORMATION
Subject claims to currently be in good health and is taking no medications.

DISPOSITION
Subject was advised of the right to speak to a consulate officer from Venezuela
Subject has no immigration petitions or applications pending or approved.
Subject was processed for Change of Venue.

Subject was given a detainee handbook in the Spanish language.
Subject was given a copy of the ODLs privacy notice.

Other Identifying Numbers

ALIEN [REDACTED]
CBP One Confirmation Number [REDACTED]

Signature	Title
-----------	-------

EOIR - 8 of 11

Exhibit B



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

Respondent Name:

PEREZ RIVAS, GERSON

To:

Hightower , Leanne Reetz
5660 Greenwood Plaza Blvd
Suite 445N
Greenwood Village, CO 80111

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

04/18/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

Denied, because

- Granted. It is ordered that Respondent be:
- released from custody on his own recognizance.
 - released from custody under bond of \$
 - other:

Other:
Respondent is properly classified as an arriving alien and the court therefore lacks jurisdiction for custody redetermination.



Immigration Judge: Tyler Wood 04/18/2025

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved


Appeal Due: 05/19/2025

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Noncitizen | [] Noncitizen c/o custodial officer | [E] Noncitizen's atty/rep. | [E] DHS

Respondent Name : PEREZ RIVAS, GERSON | A-Number : 

Riders:

Date: 04/18/2025 By: JONES, ROCHELLE, Court Staff

Leanne Reetz Hightower
Barringer Law Firm
5660 Greenwood Plaza Blvd.
Suite 445N
Greenwood Village, Colorado 80111
(303) 377 - 2338

DETAINED

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

In the matter of:)
)

Gerson PEREZ RIVAS)
)

In Removal Proceedings.)
)

File No.: A



Immigration Judge: Imburgia, Joseph S.

Next Hearing: May 14, 2025

**MOTION TO TERMINATE REMOVAL PROCEEDINGS BASED ON FAILURE TO
REVOKE PAROLE**

COMES NOW Respondent, Gerson Perez Rivas, by and through his attorney, Leanne Reetz Hightower, Esq. of Barringer Law Firm, P.C., and hereby requests that this **Court**

terminate these removal proceedings because the Respondent remains in valid parole status pursuant to INA § 212(d)(5)(A).

I. INTRODUCTION

The Department of Homeland Security (DHS) has unlawfully detained the Respondent. DHS has neither revoked the Respondent's parole in accordance with 8 C.F.R. § 212.5(e)(2)(i) nor established a lawful basis to initiate or maintain removal proceedings against an individual who is presently in the United States under a valid grant of parole. Because the Respondent remains in lawful parole status under INA § 212(d)(5)(A) and DHS has not complied with the procedures outlined in 8 C.F.R. § 212.5(e)(2)(i) to terminate such parole, these proceedings are improper and must be dismissed.

II. BACKGROUND AND PROCEDURAL POSTURE

1. The Respondent was granted parole into the United States on pursuant to INA § 212(d)(5)(A) for humanitarian reasons/public benefit on or about January 16, 2024. *See* Tab A, Respondent's I-94.
2. Humanitarian Parole was issued to Mr. Perez Rivas through January 14, 2026. *See* Tab A, Respondent's I-765 Approval Notice.
3. No written notice of parole revocation was ever issued by DHS.
4. Respondent was taken into ICE custody on or about March 12, 2025 without a warrant for arrest or other custody documents.
5. At no point has DHS provided evidence of having revoked Respondent's parole in accordance with law.

III. LEGAL BASIS FOR TERMINATION

Parole under INA § 212(d)(5)(A) confers temporary **lawful** presence. As such, detention of an immigrant lawfully present with parole must comply with statutory, regulatory and constitutional limits. Pursuant to 8 C.F.R. § 212.5(e)(2)(i), Parole may be terminated "upon written notice" *and* "when, in the opinion of the DHS officer, the purposes of the parole have been served or no longer exist." Additionally, while parole is discretionary and may contain conditions, DHS must still follow procedures to revoke parole and cannot detain arbitrarily. Where no such written revocation exists, the Respondent remains in lawful parole status, and DHS lacks authority to detain a Respondent

Detaining a noncitizen without lawful authority and without notice of parole termination violates due process under the Fifth Amendment. Such detention is arbitrary and lacks the statutory foundation required by *Zadvydas v. Davis*, 533 U.S. 678 (2001). Courts have recognized that freedom from arbitrary detention is a fundamental right even for noncitizens. DHS has failed to provide a warrant for arrest indicating lawful authority to detain Respondent. DHS has also failed to provide notice of termination of parole. Thus, as Respondent remains lawfully present in the U.S., charges of removability cannot be sustained at this time.

WHEREFORE, Respondent respectfully requests this Honorable Court:

1. Terminate removal proceedings for lack of jurisdiction and failure to follow required regulatory procedure;
2. In the alternative, issue an order requiring DHS to produce evidence of parole revocation;
3. Grant any other relief the Court deems just and proper.

Respectfully submitted,

Leanne Reetz Hightower

Leanne Reetz Hightower, Esq.

Attorney for Respondent

Barringer Law Firm, P.C.

5660 Greenwood Plaza Blvd, Suite 445N

Greenwood Village, CO 80111

(P) 303-377-2338

TAB A

Due to Executive Order, Securing Our Borders, the Department of Homeland Security (DHS) has exercised its discretion to terminate the categorical parole programs for aliens who are nationals of Cuba, Haiti, Nicaragua, Venezuela, and their immediate family members. Please refer to the Federal Register Notice for additional details. Please note the temporary parole period of aliens in the United States under the CHNV parole program whose parole period has not already expired by April 24, 2025, will terminate on that date.

Official Website of the Department of Homeland Security



U.S. Customs and Border Protection | I-94 Website
Travel Record for U.S. Visitors

Get Most Recent I-94

Home Apply Now **Get Most Recent I-94** View Travel History View Compliance

Need Help?

Most Recent I-94

Note to employers, local, state or federal agency granting benefits:

Please visit the CBP I-94 Public Website and click on the tab for "Get Most Recent I-94" to perform a search for the applicant to confirm that the biographic and travel information displayed on this I-94 printout matches the "Get Most Recent I-94" returned results for this applicant. I-94 FAQs: (<https://i94.cbp.dhs.gov/i94/#/faq>)

Admission I-94 Record Number: [REDACTED]

Arrival/Issued Date: 2024 January 16

Class of Admission: DT

Admit Until Date: 2025 April 06

Details provided on the I-94 Information form:

Last/Surname: PEREZ RIVAS

First (Given) Name: GERSON

Birth Date: [REDACTED]

Document Number: [REDACTED]

Country of Citizenship: Venezuela

Make Changes


GET THIS TRAVELER'S TRAVEL HISTORY

Print

TAB B



CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of May, 2025, I served a true and correct copy of the foregoing **Motion to Terminate Removal Proceedings Based on Failure to Revoke Parole** regarding **Gerson Perez Rivas, A**  to the Office of Chief Counsel via ECAS. As both parties are participating in ECAS, no other service is required.

Leanne Reetz Hightower

Leanne Reetz Hightower

CHRISTOPHER TOD ST. JOHN
Chief Counsel
JOHN CANEDY
Deputy Chief Counsel
TANGA L. BERNAL
Assistant Chief Counsel
U.S. Immigration & Customs Enforcement
U.S. Department of Homeland Security
12445 East Caley Avenue
Centennial, CO 80111-6432
TEL: (303) 784-6560
FAX: (303) 784-6566

NOT DETAINED

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF IMMIGRATION JUDGE
DENVER, COLORADO**

_____)
In the Matter of:)
PEREZ RIVAS, Gerson)
In Removal Proceedings)
_____)

File No.: A 

Immigration Judge: TBD

Next hearing: May 28, 2025

**DEPARTMENT OF HOMELAND SECURITY'S OPPOSITION TO
RESPONDENT'S MOTION TO TERMINATE**

INTRODUCTION

The Department of Homeland Security (“DHS” or “Department”) opposes respondent’s motion to terminate filed on May 13, 2025. The only basis cited in the respondent’s motion is that the respondent’s parole has not been revoked. Contrary to respondent counsel’s arguments, parole is discretionary and parole was terminated under INA § 212(d)(5)(A) and 8 C.F.R. § 212.5(e)(2)(i).

The respondent entered the United States on January 16, 2024, at a port of entry in Brownsville, Texas with no valid documents that would permit his entry. The fact that respondent was subsequently paroled into the United States does not give him any status nor is it an admission. The respondent’s status as a parolee was later terminated as a matter of discretion. Regarding counsel’s argument that an arrest warrant has not been obtained, this too is an incorrect statement as on March 10, 2025, when the respondent was identified through routine jail checks, ICE detainers I-247 and I-200 were approved. *See* Exh. 1 (I-213). The respondent is properly in removal proceedings and can seek relief in the form of an application for Asylum, which he has already filed.

Parole is a discretionary, individualized release by DHS of an applicant for admission for an urgent humanitarian reason or a significant public benefit, that is not an admission. INA §§ 212(d)(5), 101(a)(13)(B). Parole pursuant to INA § 212(d)(5)(A) is both discretionary and temporary. According to INA § 212(d)(5)(A) “...when the purposes of such parole shall, in the opinion of the Attorney General, have been served the alien shall forthwith return or be returned to the custody from which he was paroled...” Under 8 C.F.R. § 212.5(a) the discretionary authority to grant or revoke parole is vested in, among others, DHS and Customs and Border Patrol. If it is in the opinion of the official listed in this section that it is in the public interest for the alien to remain in custody, then parole will be revoked. Alternatively, as shown by

respondent's most recent I-94, parole expired on April 6, 2025. *See* Exh. 2 (I-94). Under 8 C.F.R. § 212.5(e), parole may be terminated automatically "at the expiration of the time for which parole was authorized." Therefore, even if the Court finds that parole was not terminated as a matter of discretion, parole has been terminated automatically as it expired on April 6, 2025. Upon termination of parole, the regulations mandate that the noncitizen "shall be restored to the status that he or she had at the time of parole." INA § 212(d)(5)(A); 8 C.F.R. § 212.5(e)(1)-(2)(i).

When the respondent was paroled into the United States he was not admitted and his status as an immigrant not in possession of any valid entry docs did not change. *See* INA § 212(d)(5); *Matter of L-Y-Y-*, 9 I&N Dec. 70 (A.G. 1960). A noncitizen legally allowed in the United States through parole is not legally admitted, as is the case here. INA § 212(d)(5). The respondent has not provided evidence that he was admitted into the United States, nor has he provided evidence that he has a valid entry document, such as a visa, reentry permit, border crossing identification card, when he applied for admission.

The respondent's criminal charges of driving under the influence, possession of a controlled substance, and drug paraphernalia possession are all negative discretionary factors. *See* Exh. 1 (I-213). Regardless of whether there was property damage or injury to any person, these are serious crimes. "Drunk drivers take a grisly toll on the Nation's roads, claiming thousands of lives, injuring many more victims, and inflicting billions of dollars in property damage every year." *Birchfield v. North Dakota*, 136 S. Ct. 2160, 2166 (2016). Drinking and driving puts the community at large at risk. *See Matter of Castillo-Perez*, 27 I&N Dec. 664, 670 (A.G. 2019).

Given the recency and serious nature of the conviction, DHS objects to termination of the

respondent's case. The respondent can still pursue other forms of relief available before an Immigration Judge. As it stands, the respondent does not have any valid entry documents, he was never admitted, and his parole has been terminated. As such he stands before the court as an applicant for admission.¹

WHEREFORE, for the reasons stated above, the Department respectfully requests that this Court deny the respondent's motion to terminate and find the respondent removable and sustain the charge of removability.

Respectfully Submitted,

Tanga L. Bernal

Tanga L. Bernal
Assistant Chief Counsel
U.S. Immigration & Customs Enforcement
U.S. Department of Homeland Security

¹ The fact that the respondent's I-94 lists class of admission as "DT" is of no significance and does not change the analysis above. *See* Exh. 2. "DT" is a code that signifies parole was granted at a port of entry (as was the case here) or a District Office. The section of parole is governed by the INA § 212(d)(5) Humanitarian Parole.

Exhibit 1: I-213

U.S. Department of Homeland Security Subject ID : XXXXXXXXXX Record of Deportable/Inadmissible Alien

Family Name (CAPS) PEREZ-RIVAS, GERSON ELEAZAR		First	Middle	Sex M	Hair BLK	Eyes BRO	Cmpbxn LBR	
Country of Citizenship VENEZUELA	Passport Number and Country of Issue XXXXXXXXXX			Height 66	Weight 143	Occupation		
U.S. Address								
Date, Place, Time, and Manner of Last Entry 01/16/2024 Unknown Time, BRO, WI - Without Inspection				Passenger Boarded at				
Number, Street, City, Province (State) and Country of Permanent Residence								
Date of Birth XXXXXXXXXX	Age: 26	Date of Action	Location Code GJC/DEN	Scars and Marks See Narrative				FBI Number XXXXXXXXXX
City, Province (State) and Country of Birth VALENCIA ESTADO CARABOB, VENEZUELA		AR <input checked="" type="checkbox"/>	Form : (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>	<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated				Method of Location/Apprehension CLC
NIV Issuing Post and NIV Number		Social Security Account Name		A/Near See I-831		Date/Hour 03/10/2025 16:17		
Date Visa Issued		Social Security Number		By J. 05828 NICKOLES				
Immigration Record POSITIVE - See Narrative				Criminal Record See Narrative				
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)						Number and Nationality of Minor Children None		
Father's Name, Nationality, and Address, if Known PEREZ, GERSON NATIONALITY: VENEZUELA			Mother's Present and Maiden Names, Nationality, and Address, if Known RIVAS, BEATRIZ NATIONALITY: VENEZUELA					
Monies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks See Narrative	Charge Code Words(s) See Narrative				
Name and Address of (Last)(Current) U.S. Employer		Type of Employment	Salary	Employed from/to Hr				
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)								
FIN: XXXXXXXXXX		Left Index fingerprint			Right Index fingerprint			
								
SCARS MARKS AND TATTOOS								
SCAR ABDOMEN - scar on lower abdomen								
IMMIGRATION RECORD								
History was expected but not provided								
Subject Health Status ... (CONTINUED ON I-831)								
Alien has been advised of communication privileges _____ (Date/Initials)				_____ (Signature and Title of Immigration Officer)				
Distribution:				Received: (Subject and Documents) (Report of Interview)				
				Officer: _____				
				on: _____ (time)				
				Disposition: Other				
				Examining Officer: _____				

EOIR - 6 of 11

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name PEREZ-RIVAS, GERSON ELEAZAR	File Number [REDACTED] Event No: [REDACTED]	Date 05/20/2025
----- The subject claims good health. Current Administrative Charges ----- 03/10/2025 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA Previous Criminal History ----- No Crimes selected for inclusion on the I-213. [REDACTED] FUNDS IN POSSESSION ----- United States Dollar 10.00 AT/NEAR ----- Montrose, Colorado Record of Deportable/Excludable Alien: ----- ENCOUNTER Subject, Perez-Rivas, Gerson, was identified through routine jail checks in Montrose County, Colorado on March 10, 2025. Subject was arrested for driving under the influence, careless driving, controlled substance possession and drug paraphernalia-possess. ICE/CIS records checks indicate subject is a citizen and national of Venezuela by virtue of birth. Subject was not in possession of valid immigration documents that would allow subject to be in or remain in the United States legally. An ICE detainer I-247 and I 200 were approved. ENTRY DATA/IMMIGRATION HISTORY ICE/CIS records checks revealed subject entered the United States at or near Brownsville, Texas on or about January 16, 2024, and entered with a CBP one appointment. This location was designated as a port of entry by the Attorney General or the Secretary of the Department of Homeland Security. ICE/CIS records checks indicate subject was issued a Notice to Appear on January 16, 2024. Subject is scheduled for Immigration Court on February 04, 2027. ICE/CIS records checks revealed subject has an approved work authorization. FAMILY INFORMATION Subject stated that both parents are citizens and nationals of Venezuela by birth and do not claim and have never claimed any immigration status in the United States CRIMINAL HISTORY		
Signature	Title	

EOIR - 7

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name PEREZ-RIVAS, GERSON ELEAZAR	File Number [REDACTED] Event No: [REDACTED]	Date 05/20/2025
---	---	--------------------

Subject was, on March 09, 2025, arrested by Montrose Police Department in the County of Montrose, Colorado for the offenses of driving under the influence, careless driving, controlled substance possession and drug paraphernalia possession. These charges are still pending. Case number 2025M125 Montrose, Colorado.

GANG AFFILIATION/PUBLIC SAFETY THREAT
Subject claims no gang affiliation.

U. S. MILITARY HISTORY
Subject claims no affiliation with the United States military.

SQ-11/NN-13 records checks for outstanding wants, warrants and lookouts were negative.

FUNDS
\$10.00 [REDACTED]
I77# [REDACTED]

MEDICAL INFORMATION
Subject claims to currently be in good health and is taking no medications.

DISPOSITION
Subject was advised of the right to speak to a consulate officer from Venezuela
Subject has no immigration petitions or applications pending or approved.
Subject was processed for Change of Venue.

Subject was given a detainee handbook in the Spanish language.
Subject was given a copy of the ODLs privacy notice.

Other Identifying Numbers

ALIEN- [REDACTED]
CBP One Confirmation Number- [REDACTED]

Signature	Title
-----------	-------

EOIR - 8-11-11

Exhibit 2: I-94

For: **GERSON PEREZ RIVAS**



U.S. Customs and Border Protection

Securing America's Borders

Most Recent I-94

Note to employers, local, state or federal agency granting benefits:

Please visit the CBP I-94 Public Website and click on the tab for "Get Most Recent I-94" to perform a search for the applicant to confirm that the biographic and travel information displayed on this I-94 printout matches the "Get Most Recent I-94" returned results for this applicant. I-94 FAQs: (<https://i94.cbp.dhs.gov/i94/#/faq>).

Admission I-94 Record Number: [REDACTED]

Arrival/Issued Date: 2024 January 16

Class of Admission: DT

Admit Until Date: 2025 April 06

Details provided on the I-94 Information form:

Last/Surname: PEREZ RIVAS

First (Given) Name: GERSON

Birth Date: [REDACTED]

Document Number: [REDACTED]

Country of Citizenship: Venezuela

-
- ▶ Effective April 26, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled into the U.S. is no longer required to be in possession of a preprinted Form I-94. A record of admission printed from the CBP website constitutes a lawful record of admission. See 8 CFR § 1.4(d).
 - ▶ If an employer, local, state or federal agency requests admission information, present your admission (I-94) number along with any additional required documents requested by that employer or agency.
 - ▶ Note: For security reasons, we recommend that you close your browser after you have finished retrieving your I-94 number.

OMB No. 1651-0111
Expiration Date: 05/31/2025

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT, on May 20, 2025, I served the foregoing document and any attachments:

- by placing a true copy thereof in a sealed envelope, with postage thereon to be fully prepaid by normal government process and causing the same to be mailed
- by first class mail to the person at the address set forth below;
- by causing to be personally delivered a true copy thereof to the person at the address set forth below;
- by FEDERAL EXPRESS / AIRBORNE EXPRESS to the person at the address set forth below; or
- by ECAS

Date: May 20, 2025

Tanga L. Bernal

Tanga L. Bernal
Assistant Chief Counsel
U.S. Immigration & Customs Enforcement
U.S. Department of Homeland Security



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

Respondent Name:

PEREZ RIVAS, GERSON

To:

Hightower , Leanne Reetz
5660 Greenwood Plaza Blvd
Suite 445N
Greenwood Village, CO 80111

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

05/21/2025

ORDER OF THE IMMIGRATION JUDGE

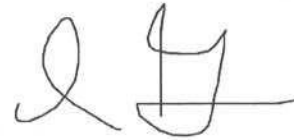
Respondent the Department of Homeland Security has filed a motion to terminate these proceedings, and the non-moving party was accorded notice and an opportunity to respond. The motion is opposed unopposed.

After considering the facts and circumstances, the immigration court orders that the motion to terminate is granted with without prejudice denied because:

- The Department of Homeland Security met did not meet its burden of proving by clear and convincing evidence that Respondent is removable as charged. 8 C.F.R. § 1240.8(a).
- Respondent met did not meet the burden of proving that Respondent is clearly and beyond a doubt entitled to admission to the United States and is not inadmissible as charged. 8 C.F.R. § 1240.8(b)-(c).
- Other.
- Further analysis/explanation:

In his motion, Respondent claims that he is in lawful status. However, his period of parole has expired and was otherwise terminated upon service of the Notice to Appear ("charging document") upon Respondent. 8 C.F.R. 212.5(e)(2).

Further, as noted by DHS, "Respondent has not provided evidence that he was admitted into the United States, nor has he provided evidence that he has a valid entry document, such as a visa, reentry permit, border crossing identification card."



Immigration Judge: Gardzelewski, Ivan 05/21/2025

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved

Appeal Due:

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Noncitizen | [] Noncitizen c/o custodial officer | [E] Noncitizen's atty/rep. | [E] DHS

Respondent Name : PEREZ RIVAS, GERSON | A-Number : 


Riders:

Date: 05/21/2025 By: PARISH, REGAN, Court Staff

**MOTION TO TERMINATE REMOVAL PROCEEDINGS:
PRIMA FACIE ELIGIBLE FOR ADJUSTMENT OF STATUS**

COMES NOW, Respondent, Gerson Perez Rivas, by and through counsel, Leanne Reetz Hightower of BARRINGER LAW FIRM, P.C. and hereby requests the Court terminate these proceedings based on Respondent's prima facie eligibility for adjustment of status. In support thereof, Respondent states as follows:

1. The Department of Homeland Security ("Department") served Respondent with a Notice to Appear ("NTA") on or about January 16, 2024. *See* eROP, Respondent's NTA dated January 16, 2024.
2. Respondent entered the United States ("U.S.") with DT parole after presenting at a port of entry and requesting asylum, said parole was valid from January 16, 2025 - April 06, 2025. *See Tab A, Respondent's I-94.*
3. Respondent has been charged as removable pursuant to INA § 212(a)(7)(A)(i)(I).
4. The INA tasks immigration judges with exercising their independent judgment and discretion and taking actions necessary and appropriate for the disposition or alternative resolution of a case. *See* INA § 1003.10(b). Such actions include administrative closure, termination of proceedings, and dismissal of proceedings. *Id.*
5. Additionally, an immigration judge may exercise their discretion to terminate the case when a noncitizen is prima facie eligible for naturalization, relief from removal, or lawful status and if the noncitizen were not in proceedings, USCIS would have jurisdiction. *See* INA § 1003.18(d)(1)(ii)(B).
6. Respondent is prima facie eligible to adjust status through marriage to his U.S. citizen wife, Flor Balderrama.
 - a. Respondent and his wife, Flor, completed an interview with USCIS on November 13, 2025, at 12484 E Weaver Place, Centennial, CO. at 8:00 a.m.

- b. Form I-130, Receipt Number  for which Respondent is the Beneficiary was approved on November 14, 2025, after completing the interview. *See Tab A I-130 Approval Notice.*
- c. Respondent has submitted his Application to Adjust Status, Form I-485, to USCIS. *See Tab B, Application for Adjustment of Status, Form I-485.*
7. Because Respondent is an arriving alien, an immigration judge does not have jurisdiction to adjudicate his application for adjustment of status. *See 8 CFR § 1245.2(a)(1)(ii)*

WHEREFORE, Respondent requests the Court enter an Order terminating removal proceedings and instruct the Department to release the Respondent forthwith.

Dated this day of December 3, 2025.

Leanne Reetz Hightower

Lenane Reetz Hightower
Barringer Law Firm, P.C.
5660 Greenwood Plaza Blvd
Suite 445N
Greenwood Village, CO 80111
(P) 303-377-2338
leanne@barringerlawfirm.com


TAB A

DEPARTMENT OF HOMELAND SECURITY
U.S. Citizenship and Immigration Services
12484 East Weaver Place
Denver, CO 80111

NOTICE OF APPROVAL OF RELATIVE IMMIGRANT VISA PETITION

Name and Address of Prospective Petitioner

Flor Daisy Balderrama


Name of Beneficiary Gerson Eleazar Perez Rivas	
Classification 201(b)	File No. 
Date petition filed 15 Sep 25	Date of approval of petition 13 Nov 2025

Date: November 13, 2025

Receipt: 

The visa petition you filed has been approved. The beneficiary for whom you filed has been given the appropriate classification. Note the approval gives no assurance that the beneficiary will automatically be found eligible for visa issuance, admission to the United States or adjustment to lawful permanent resident status. Whether the beneficiary gets a visa is decided only when an application is made to a consular officer; whether the beneficiary is admitted or adjusts status in the United States is decided only when an application is made to an immigration officer.

1. Your petition to classify the beneficiary as an immediate relative of a United States citizen has been forwarded to the National Visa Center. This completes all action by this Service on the petition. The United States Consulate, which is part of the Department of State, will contact the beneficiary and give instructions about getting a visa. Questions about getting a visa should be made to the National Visa Center.
2. If you become a naturalized citizen of the United States and an immigrant visa has not yet been issued to the beneficiary, notify this office immediately, giving the date of your naturalization. If the petition was in behalf of your son or daughter, please advise whether that person is still unmarried. This information may be helpful to the beneficiary in getting a visa faster.
3. Your petition for preference classification has been forwarded to the United States Consulate at _____. This completes all action by the Service. This Service does not issue visas in other countries. Visas are issued only by the United States Consuls who are employees of the United States Department of State. When the beneficiary's turn is reached on the visa waiting list, the United States consul will contact the beneficiary and give instructions about getting a visa. Visas are issued according to the date the petition was filed. Questions about getting a visa should be addressed to the United States Consul.
4. Your petition says that the beneficiary is in the United States and will apply to become a lawful permanent resident.
5. The beneficiary will be informed of the decision made on the pending application to become a lawful permanent resident.
6. The petition says that the beneficiary is in the United States and will apply to become a lawful permanent resident. The beneficiary may not apply to become a permanent resident, however, until a visa number is available. Information about visa numbers may be obtained from the United States Department of State, Bureau of Consular Affairs, Washington, D.C.
7. Original documents submitted in support of your petition unaccompanied by copies have been made a permanent part of the petition. Any others are being returned with this form.
8. Section 204(g) has been resolved, written request for an exemption was granted.
9. The original Form I-130 is being retained in the file pending the decision by the Immigration Judge.
10. The original decision for this Petition for Alien Relative (Form I-130) remains unchanged.
11. This completes all action by this Service on the petition.



Andrew Lambrecht
Field Office Director

cc: Attorney of Record
Form I-171
(REV. 3/4/82)

TAB B

Application to Register Permanent Residence or Adjust Status



Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-485
OMB No. 1615-0023
Expires 10/31/2027

For USCIS Use Only		
Preference Category: Country Chargeable: Priority Date: Date Form I-693 Signed By Civil Surgeon:	Receipt	Action Block
<input type="checkbox"/> Applicant Interviewed <input type="checkbox"/> Interview Waived Date of Initial Interview: _____ Lawful Permanent Resident as of: _____	Section of Law <input type="checkbox"/> INA 209(a) <input type="checkbox"/> INA 245(m) <input type="checkbox"/> INA 209(b) <input type="checkbox"/> INA 249 <input type="checkbox"/> INA 245(a) <input type="checkbox"/> Sec. 13, Act of 9/11/57 <input type="checkbox"/> INA 245(i) <input type="checkbox"/> Cuban Adjustment Act <input type="checkbox"/> INA 245(j) <input type="checkbox"/> Other _____	

To be completed by an Attorney or Accredited Representative (if any).			
<input checked="" type="checkbox"/> Select this box if Form G-28 is attached.	Volag Number (if any) _____	Attorney State Bar Number (if applicable) 6280976	Attorney or Accredited Representative USCIS Online Account Number (if any) _____

▶ **START HERE** - Type or print in black ink.

A-Number ▶ A- XXXXXXXXXX

NOTE TO ALL APPLICANTS: If you do not completely fill out this application or fail to submit required documents listed in the Instructions, U.S. Citizenship and Immigration Services (USCIS) may reject or deny your application.

For all sections of this application, if you need to provide any additional information or are instructed to provide an explanation, use the space provided in Part 14. **Additional Information.**

Part 1. Information About You (Person applying for lawful permanent residence)

1. Your Current Legal Name (Do not provide a nickname)

Family Name (Last Name) Perez Rivas	Given Name (First Name) Gerson	Middle Name (if applicable) Eleazar
--	-----------------------------------	--

2. Other Names You Have Used Since Birth (if applicable)

Provide all other names you have ever used, including your family name at birth, other legal names, nicknames, aliases, and assumed names.

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)

3. Date of Birth (mm/dd/yyyy) XXXXXXXXXX

Have you ever used any other date of birth? Yes No

If you answered "Yes," provide all other dates of birth (mm/dd/yyyy).



A-Number ▶ A- [REDACTED]

Part 1. Information About You (Person applying for lawful permanent residence) (continued)

4. Do you have an Alien Registration Number (A-Number)? Yes No

If you answered "Yes," provide your A-Number.

A-Number (if any) ▶ A- [REDACTED]

5. Have you ever used, or been assigned, any other A-Number? Yes No

If you answered "Yes," provide the A-Numbers.

[REDACTED]

6. Sex Male Female

7. Place of Birth

City or Town of Birth

Valencia

Country of Birth

Venezuela, Bolivarian Republic of

8. Country of Citizenship or Nationality

Venezuela, Bolivarian Republic of

9. USCIS Online Account Number (if any)

▶ [REDACTED]

If one has been assigned, you can find it on a notice that USCIS may have sent to you.

10. Recent Immigration History

If you last entered the United States using a passport or travel document, provide the following information.

Passport or Travel Document Number Used at Last Arrival [REDACTED]

Expiration Date of this Passport or Travel Document (mm/dd/yyyy) 07/01/2019

Country that Issued this Passport or Travel Document Venezuela, Bolivarian Republic of

Nonimmigrant Visa Number Used During Most Recent Arrival (if any) [REDACTED]

Date Nonimmigrant Visa Was Issued (mm/dd/yyyy) [REDACTED]

Place and Date of Last Arrival into the United States

City or Town

Brownsville

State

TX

Date of Last Arrival (mm/dd/yyyy)

01/16/2024

11. When I last arrived in the United States:

I was inspected at a Port of Entry and admitted as (for example, exchange visitor, visitor, temporary worker, student):

[REDACTED]

I was inspected at a Port of Entry and paroled as (for example, humanitarian parole, Cuban parole):

Humanitarian Parole

I came into the United States without admission or parole.

Other:

[REDACTED]



A-Number ▶ A- [REDACTED]

Part 1. Information About You (Person applying for lawful permanent residence) (continued)

12. If you were issued a Form I-94 Arrival/Departure Record, provide the information from your most recent Form I-94 below:

Family Name (Last Name) Given Name (First Name)

Form I-94 Arrival/Departure Record Number ▶ [REDACTED]

Expiration Date of Authorized Stay Shown on Form I-94 (mm/dd/yyyy) or Type or Print "D/S" for Duration of Status

Immigration Status on Form I-94 (for example, class of admission, or paroled, if paroled)

13. Was your last arrival the first time you were physically present in the United States? Yes No

14. What is your current immigration status (if it has changed since your last arrival)?

15. Expiration Date of Current Immigration Status (mm/dd/yyyy) or Type or Print "D/S" for Duration of Status

16. Have you ever been issued an "alien crewman" visa? Yes No

17. Did you last arrive in the United States to join a vessel as a seaman or crewman, or while serving in any capacity aboard a vessel or aircraft? Yes No

18. Addresses

Current U.S. Physical Address

In Care Of Name (if any)

Street Number and Name Apt. Ste. Flr. Number

City or Town State ZIP Code

Date You First Resided at This Address (mm/dd/yyyy)

Is this your current mailing address? Yes No

If you answered "No," provide your current mailing address.

Current Mailing Address (Safe or Alternate Mailing Address, if applicable)

In Care Of Name (if any)

Street Number and Name Apt. Ste. Flr. Number

City or Town State ZIP Code



A-Number ▶ A- [REDACTED]

Part 1. Information About You (Person applying for lawful permanent residence) (continued)

Have you resided at your current address for at least 5 years? Yes No

If you answered "No," provide your prior address(es) for the last 5 years. Use the space provided in Part 14. Additional Information, if necessary.

Prior Address

In Care Of Name (if any)

[REDACTED]

Street Number and Name

[REDACTED]

Apt. Ste. Flr. Number

[REDACTED]

City or Town

[REDACTED]

State

[REDACTED]

ZIP Code

[REDACTED]

Province

[REDACTED]

Postal Code

[REDACTED]

Country

United States

Dates of Residence

From (mm/dd/yyyy) 02/2025 To (mm/dd/yyyy) 04/2025

Most Recent Address Outside the United States

Provide your most recent physical address outside the United States where you lived for more than one year (if not already listed above).

Street Number and Name

[REDACTED]

Apt. Ste. Flr. Number

[REDACTED]

City or Town

[REDACTED]

State

[REDACTED]

ZIP Code

[REDACTED]

Province

[REDACTED]

Postal Code

[REDACTED]

Country

Columbia

Dates of Residence

From (mm/dd/yyyy) 06/2022 To (mm/dd/yyyy) 12/2023

19. Social Security Card

Has the Social Security Administration (SSA) ever officially issued a Social Security card to you? Yes No

If you answered "Yes," provide your U.S. Social Security Number (SSN). ▶ [REDACTED]

Do you want the SSA to issue you a Social Security card? Yes No

If you answered "Yes," you must also answer "Yes" to the Consent for Disclosure below.

Consent for Disclosure: I authorize disclosure of information from this application to the SSA as required for the purpose of assigning me an SSN and issuing me a Social Security Card. Yes No



A-Number ▶ A- [REDACTED]

Part 2. Application Type or Filing Category

- 1. Are you filing for adjustment of status with the Executive Office for Immigration Review (EOIR) while in removal, exclusion, rescission, or deportation proceedings? Yes No
- 2. Receipt Number of Underlying Petition (if any) Priority Date from Underlying Petition (if any)

I am filing this Form I-485 as a (select only one box):

- Principal Applicant
- Derivative Applicant (Provide the following information about the principal applicant.)

Principal Applicant's Name

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
<input type="text"/>	<input type="text"/>	<input type="text"/>

Principal Applicant's A-Number (if any) ▶ A- <input type="text"/>	Principal Applicant's Date of Birth (mm/dd/yyyy) <input type="text"/>
--	---

I am applying based on the following category (You must select ONLY ONE category. If you are filing as a derivative applicant, select the appropriate box based on the category under which the principal applicant is applying or has applied. See the Form I-485 Instructions for more information, including any Additional Instructions that relate to the immigrant category you select.):

3.a. Family-based

Immediate relative of a U.S. citizen, Form I-130, I-129F, or I-360 (select your specific category below):

- Spouse of a U.S. Citizen.
- Unmarried child under 21 years of age of a U.S. citizen.
- Parent of a U.S. citizen (if the citizen is at least 21 years of age).
- Person admitted to the United States as a fiancé(e) or child of a fiancé(e) of a U.S. citizen (K-1/K-2 Nonimmigrant).
- Widow or widower of a U.S. citizen.
- Spouse, child, or parent of a deceased U.S. active-duty service member in the armed forces under the National Defense Authorization Act (NDAA).

Other relative of a U.S. citizen under the family-based preference categories, Form I-130 (select your specific category below):

- Unmarried son or daughter of a U.S. citizen and I am 21 years of age or older.
- Married son or daughter of a U.S. citizen.
- Brother or sister of a U.S. citizen (if the citizen is at least 21 years of age).

Relative of a lawful permanent resident under the family-based preference categories, Form I-130 (select your specific category below):

- Spouse of a lawful permanent resident.
- Unmarried child under 21 years of age of a lawful permanent resident.
- Unmarried son or daughter of a lawful permanent resident and I am 21 years of age or older.

VAWA self-petitioner (victim of battery or extreme cruelty), Form I-360 (select your specific category below):

- VAWA self-petitioning spouse of a U.S. citizen or lawful permanent resident.
- VAWA self-petitioning child of a U.S. citizen or lawful permanent resident.
- VAWA self-petitioning parent of a U.S. citizen (if the citizen is at least 21 years of age).



A-Number ▶ A-



Part 2. Application Type or Filing Category (continued)

3.b. Employment-based

Alien Investor, Form I-526 or Form I-526E

Alien Workers, Form I-140 (select your category below and answer the following questions below, as applicable):

- Alien of Extraordinary Ability
- Outstanding Professor or Researcher
- Multinational Executive or Manager
- Member of the Professions Holding an Advanced Degree or Alien of Exceptional Ability (who is NOT seeking a National Interest Waiver)
- A Professional (at a minimum, requiring a bachelor's degree or a foreign degree equivalent to a U.S. bachelor's degree)
- A Skilled Worker (requiring at least 2 years of specialized training or experience)
- Any Other Worker (requiring less than 2 years of training or experience)
- An Alien Applying For a National Interest Waiver (who IS a member of the professions holding an advanced degree or an alien of exceptional ability)

Did a relative file the associated Form I-140 for you (or for the principal applicant if you are a derivative applicant) or does a relative have a significant ownership interest (5 percent or more) in the business that filed Form I-140 for you (or for the principal applicant, if you are a derivative applicant)?

- N/A (I am adjusting on the basis of a Form I-140 self-petition)
- No
- Yes

If you answered "Yes," is this relative your (select only one box):

- Father Mother Child Adult Son Adult Daughter Brother Sister
- None of These

Is the relative above a:

- U.S. Citizen U.S. National Lawful Permanent Resident None of These

3.c. Special Immigrant

- Special Immigrant Juvenile, Form I-360
- Certain Afghan or Iraqi National, Form I-360 or Form DS-157
- Certain International Broadcaster, Form I-360
- Certain G-4 International Organization or Family Member or NATO-6 Employee or Family Member, Form I-360
- Certain U.S. Armed Forces Members (also known as the Six and Six program), Form I-360
- Panama Canal Zone Employees, Form I-360
- Certain Physicians, Form I-360
- Certain Employee or Former Employee of the U.S. Government Abroad, DS-1884

Religious Worker, Form I-360 (select your specific category below):

- Minister of Religion
- Other Religious Worker



A-Number ▶ A- [REDACTED]

Part 2. Application Type or Filing Category (continued)

3.d. Asylee or Refugee

Asylum Status (Immigration and Nationality Act (INA) section 208), Form I-589 or Form I-730

If you selected asylum, date you were granted asylum (mm/dd/yyyy).

Refugee Status (INA section 207), Form I-590 or Form I-730

If you selected refugee, date of initial admission as refugee (mm/dd/yyyy).

3.e. Human Trafficking Victim or Crime Victim

Human Trafficking Victim (T Nonimmigrant), Form I-914 or Derivative Family Member, Form I-914A

Victim of Qualifying Criminal Activity (U Nonimmigrant), Form I-918, Derivative Family Member, Form I-918A, or Qualifying Family Member, Form I-929

3.f. Special Programs Based on Certain Public Laws

The Cuban Adjustment Act

A Victim of Battery or Extreme Cruelty as a Spouse or Child Under the Cuban Adjustment Act

Applicant Adjusting Based on Dependent Status Under the Haitian Refugee Immigrant Fairness Act

A Victim of Battery or Extreme Cruelty as a Spouse or Child Applying Based on Dependent Status Under the Haitian Refugee Immigrant Fairness Act

Lautenberg Parolees

Diplomats or High-Ranking Officials Unable to Return Home (Section 13 of the Act of September 11, 1957)

Nationals of Vietnam, Cambodia, and Laos Applying for Adjustment of Status Under section 586 of Public Law 106-429

Applicant Adjusting Under the Amerasian Act (October 22, 1982), Form I-360

3.g. Additional Options

Diversity Visa program

If you selected Diversity Visa program, provide your Diversity Visa Rank Number:

Continuous Residence in the United States Since Before January 1, 1972 ("Registry")

Individual Born in the United States Under Diplomatic Status

S Nonimmigrants and Qualifying Family Members (can only adjust in this category with an approved Form I-854B filed by a law enforcement officer)

Other Eligibility

4. If you selected a family-based, employment-based, special immigrant, or Diversity Visa immigrant category listed above in Item Numbers 3.a. - 3.g. as the basis for your application for adjustment of status, are you applying for adjustment based on INA section 245(i)? Yes No

5. Are you 21 years of age or older and applying for adjustment based on classification as a child, under the provisions of the Child Status Protection Act (CSPA)? Yes No

NOTE: For more information to determine if you are eligible under CSPA, see the **Who May File Form I-485** section of these Instructions.

A-Number ▶ A- 

Part 3. Request for Exemption for Intending Immigrant's Affidavit of Support Under Section 213A of the INA

I am requesting an exemption from submitting an Affidavit of Support Under Section 213A of the INA (Form I-864 or Form I-864EZ) because (select **only one**):

- 1.a. I have earned or can receive credit for 40 qualifying quarters (credits) of work in the United States (as defined by the Social Security Act (SSA)). (Attach your SSA earnings statements. Do not count any quarters during which you received a means-tested public benefit.)
- 1.b. I am under 18 years of age, unmarried, the child of a U.S. citizen, am not likely to become a public charge, and will automatically become a U.S. citizen under INA section 320, upon my admission as a lawful permanent resident.
- 1.c. I am applying under the widow or widower of a U.S. citizen (Form I-360) immigrant category.
- 1.d. I am applying as a VAWA self-petitioner.
- 1.e. None of these exemptions apply to me and I am not required by statute to submit an Affidavit of Support Under Section 213A of the INA, nor am I required to request an exemption.
- 1.f. None of these exemptions apply to me and I am not requesting an exemption as I am required to submit an Affidavit of Support Under Section 213A of the INA.

Part 4. Additional Information About You

1. Have you ever applied for an immigrant visa to obtain permanent resident status at a U.S. Embassy or U.S. Consulate abroad? Yes No

If you answered "Yes," complete Item Numbers 2. - 4. below.

2. Location of U.S. Embassy or U.S. Consulate

City or Town	Country
<input type="text"/>	<input type="text"/>

3. Decision (for example, approved, refused, denied, withdrawn)

4. Date of Decision (mm/dd/yyyy)

5. Have you previously applied for permanent residence while in the United States? Yes No

6. Have you **EVER** held lawful permanent resident status which was later rescinded under INA section 246? Yes No

Employment and Educational History

7. Provide **ALL** of your employment and educational history for the last 5 years as indicated in the Instructions. Provide your current employment or school attended first. Include periods of self-employment, unemployment, or retirement. For each period of unemployment or retirement, list source of financial support. If you have additional employment or educational history, use the space provided in Part 14. Additional Information.

Employer or School (current or most recent)	Name of Employer, Company, or School
<input type="text"/>	<input type="text"/>

Your Occupation (if unemployed or retired, so state)



A-Number ▶ A-

Part 4. Additional Information About You (continued)

Address of Employer, Company, or School

Street Number and Name

[Redacted]

Apt. Ste. Flr. Number

[Redacted]

City or Town

[Redacted]

State

[Redacted]

ZIP Code

[Redacted]

Province

[Redacted]

Postal Code

[Redacted]

Country

[Redacted]

Dates of Employment, Unemployment, Retirement, or School Attendance

From (mm/dd/yyyy)

01/2025

To (mm/dd/yyyy)

04/2025

If unemployed or retired, source of financial support:

[Redacted]

8. Provide your most recent employer or school outside of the United States (if not already listed above).

Name of Employer, Company, or School

Self Employed

Your Occupation (if unemployed or retired, so state)

Barber

Address of Employer, Company, or School

Street Number and Name

[Redacted]

Apt. Ste. Flr. Number

[Redacted]

City or Town

[Redacted]

State

[Redacted]

ZIP Code

[Redacted]

Province

[Redacted]

Postal Code

[Redacted]

Country

Colombia

Dates of Employment, Unemployment, Retirement, or School Attendance

From (mm/dd/yyyy)

2020

To (mm/dd/yyyy)

2023

If unemployed or retired, source of financial support:

[Redacted]

Part 5. Information About Your Parents

Information About Your Parent 1

1. Parent 1's Legal Name

Family Name (Last Name)

Rivas Graterol

Given Name (First Name)

Celida

Middle Name (if applicable)

Beatriz

2. Parent 1's Name at Birth (if different than above)

Family Name (Last Name)

[Redacted]

Given Name (First Name)

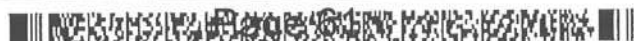
[Redacted]

Middle Name (if applicable)

[Redacted]

3. Date of Birth (mm/dd/yyyy)

[Redacted]



A-Number ▶ A- [REDACTED]

Part 5. Information About Your Parents (continued)

4. Country of Birth
Venezuela

Information About Your Parent 2

5. Parent 2's Legal Name
Family Name (Last Name) Given Name (First Name) Middle Name (if applicable)
Perez Gerson David

6. Parent 2's Name at Birth (if different than above)
Family Name (Last Name) Given Name (First Name) Middle Name (if applicable)
[REDACTED] [REDACTED] [REDACTED]

7. Date of Birth (mm/dd/yyyy) [REDACTED]

8. Country of Birth
Venezuela

Part 6. Information About Your Marital History

- 1. What is your current marital status?
 Single, Never Married Married Divorced Widowed Marriage Annulled Legally Separated
- 2. If you are married, is your spouse a current member of the U.S. armed forces or U.S. Coast Guard? N/A Yes No
- 3. How many times have you been married (including your current marriage, marriages abroad, annulled marriages, and marriages to the same person)? 1

Information About Your Current Marriage (including if you are legally separated)

4. Current Spouse's Legal Name
Family Name (Last Name) Given Name (First Name) Middle Name (if applicable)
Balderrama Flor Daisy

5. Current Spouse's A-Number (if any) ▶ A- [REDACTED] 6. Current Spouse's Date of Birth (mm/dd/yyyy) [REDACTED]

7. Current Spouse's Country of Birth
United States

8. Current Spouse's Current Physical Address
Street Number and Name Apt. Ste. Flr. Number
[REDACTED] [REDACTED] [REDACTED] [REDACTED]
City or Town State ZIP Code
[REDACTED] [REDACTED] [REDACTED]
Province Postal Code Country
[REDACTED] [REDACTED] United States



A-Number ▶ A- [REDACTED]

Part 6. Information About Your Marital History (continued)

9. Place of Marriage to Current Spouse

City or Town	State or Province
Aurora	Colorado
Country	
United States	
Date of Marriage to Current Spouse (mm/dd/yyyy)	05/09/2025

10. Is your current spouse applying with you? Yes No

Information About Prior Marriages (if any)

11. Prior Spouse's Legal Name (provide family name before marriage)

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)

12. Prior Spouse's Date of Birth (mm/dd/yyyy) [REDACTED]

13. Prior Spouse's Country of Birth [REDACTED]

14. Prior Spouse's Country of Citizenship or Nationality [REDACTED]

15. Date of Marriage to Prior Spouse's (mm/dd/yyyy) [REDACTED]

16. Place of Marriage to Prior Spouse

City or Town	State or Province
Country	

17. Place Where Marriage with Prior Spouse Legally Ended

City or Town	State or Province
Country	
Date of Marriage with Prior Spouse Legally Ended (mm/dd/yyyy)	[REDACTED]

18. How Marriage Ended with Prior Spouse (select one):

Annulled Divorced Spouse Deceased Other (Explain): [REDACTED]



A-Number ▶ A- [REDACTED]

Part 7. Information About Your Children

1. Indicate the total number of ALL living children anywhere in the world (including adult sons and daughters) that you have.

NOTE: The term "children" includes all biological or legally adopted children, as well as current stepchildren, of any age, whether born in the United States or other countries, married or unmarried, living with you or elsewhere and includes any missing children and those born to you outside of marriage.

2

Provide the following information for each of your children. If you have more than two children, use the space provided in Part 14. Additional Information.

2. Child 1

Current Legal Name

Family Name (Last Name) [REDACTED] Given Name (First Name) [REDACTED] Middle Name (if applicable) [REDACTED]

A-Number (if any) ▶ A- [REDACTED] Date of Birth (mm/dd/yyyy) [REDACTED]

Country of Birth
Colombia

What is your child's relationship to you? (for example, biological child, stepchild, legally adopted child)
Biological Child

Is this child also applying now on a separate Form I-485? Yes No

3. Child 2

Current Legal Name

Family Name (Last Name) [REDACTED] Given Name (First Name) [REDACTED] Middle Name (if applicable) [REDACTED]

A-Number (if any) ▶ A- [REDACTED] Date of Birth (mm/dd/yyyy) [REDACTED]

Country of Birth
United States

What is your child's relationship to you? (for example, biological child, stepchild, legally adopted child)
Biological Child

Is this child also applying now on a separate Form I-485? Yes No

A-Number ▶ A- [REDACTED]

Part 8. Biographic Information

- 1. Ethnicity (Select only one box)
 - Hispanic or Latino Not Hispanic or Latino
- 2. Race (Select all applicable boxes)
 - American Indian or Alaska Native Asian Black or African American
 - Native Hawaiian or Other Pacific Islander White
- 3. Height Feet Inches 4. Weight Pounds
- 5. Eye Color (Select only one box)
 - Black Blue Brown Gray Green Hazel Maroon Pink Unknown/Other
- 6. Hair Color (Select only one box)
 - Bald (No hair) Black Blond Brown Gray Red Sandy White Unknown/Other

Part 9. General Eligibility and Inadmissibility Grounds

Choose the answer that you think is correct in Part 9. If you answer "Yes" to any questions (or if you answer "No," but are unsure of your answer), provide an explanation of the events and circumstances in the space provided in Part 14. Additional Information.

- 1. Have you EVER been a member of, involved in, or in any way associated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other location in the world? Yes No
- If you answered "Yes" to Item Number 1, complete Item Numbers 2. - 9. If you were a member of more than two organizations, use the space provided in Part 14. Additional Information.

Organization 1

- 2. Name of Organization
- 3. City or Town State or Province
- Country
- 4. Nature of Organization, including its purposes and activities, whether illicit or legitimate.
- Nature of involvement in organization, including role or positions(s) held, whether illicit or legitimate.
- 5. Dates of Membership or Dates of Involvement
From (mm/dd/yyyy) To (mm/dd/yyyy)

Organization 2

- 6. Name of Organization

A-Number ▶ A-



Part 9. General Eligibility and Inadmissibility Grounds (continued)

7. City or Town State or Province

Country

8. Nature of Organization, including its purposes and activities, whether illicit or legitimate.

Nature of involvement in organization, including role or positions(s) held, whether illicit or legitimate.

9. Dates of Membership or Dates of Involvement
From (mm/dd/yyyy) To (mm/dd/yyyy)

- 10. Have you **EVER** been denied admission to the United States? Yes No
- 11. Have you **EVER** been denied a visa to the United States? Yes No
- 12. Have you **EVER** worked in the United States without authorization? Yes No
- 13. Have you **EVER** violated the terms or conditions of your nonimmigrant status? Yes No
- 14. Are you presently or have you **EVER** been in removal, exclusion, rescission, or deportation proceedings, including expedited removal proceedings? Yes No
- 15. Have you **EVER** been issued a final order of exclusion, deportation, or removal? Yes No
- 16. Have you **EVER** had a prior final order of exclusion, deportation, or removal reinstated? Yes No
- 17. Have you **EVER** been granted voluntary departure by an immigration officer or an immigration judge but failed to depart within the allotted time? Yes No
- 18. Have you **EVER** applied for any kind of relief or protection from removal, exclusion, or deportation? Yes No
- 19. Have you **EVER** been a J nonimmigrant exchange visitor who was subject to the two-year foreign residence requirement? Yes No
- 20. If you answered "Yes" to Item Number 19., have you complied with the foreign residence requirement? Yes No
- 21. If you answered "Yes" to Item Number 19. and "No" to Item Number 20., have you been granted a waiver or has Department of State issued a favorable waiver recommendation letter for you? Yes No

Criminal Acts and Violations

For Item Numbers 22. - 41., you must answer "Yes" to any question that applies to you, even if your records were sealed or otherwise cleared, or even if anyone, including a judge, law enforcement officer, or attorney, told you that you no longer have a record. You must also answer "Yes" to the following questions whether the action or offense occurred here in the United States or anywhere else in the world. If you answer "Yes" to Item Numbers 22. - 41., use the space provided in Part 14. Additional Information to provide an explanation for each offense, if applicable, that includes a description of the criminal offense; where the criminal offense occurred; when the criminal offense occurred; whether you were arrested, cited, charged, or detained for the criminal offense you committed; and the outcome or disposition of that criminal offense (for example, convicted, placement in a diversion program, no charges filed, charges dismissed, jail, prison, detention, probation, or community service). Your explanation must include the duration of any sentence to confinement (even if suspended).

- 22. Have you **EVER** been arrested, cited, charged, or permitted to participate in a diversion program (including Yes No pre-trial diversion, deferred prosecution, deferred adjudication, or any withheld adjudication), or detained for any reason by any law enforcement official in any country including but not limited to any U.S. immigration official or any official of the U.S. armed forces or U.S. Coast Guard or by a similar official of a country other than the United States?



A-Number ▶ A- [REDACTED]

Part 9. General Eligibility and Inadmissibility Grounds (continued)

- 23. Have you **EVER** committed a crime of any kind (even if you were not arrested, cited, charged with, or tried for that crime, or convicted)? Yes No
- 24. Have you **EVER** pled guilty to or been convicted of a crime or offense (even if the violation was subsequently expunged or sealed by a court, or if you were granted a pardon, amnesty, a rehabilitation decree, or other act of clemency)? Yes No

NOTE: If you were the beneficiary of a pardon, amnesty, a rehabilitation decree, or other act of clemency, provide documentation of that post-conviction action.

- 25. Have you **EVER** been ordered punished by a judge or had conditions imposed on you that restrained your liberty (such as a prison sentence, suspended sentence, house arrest, parole, alternative sentencing, drug or alcohol treatment, rehabilitative programs or classes, probation, or community service)? Yes No
- 26. Have you **EVER** violated (or attempted or conspired to violate) any controlled substance law or regulation of a state, the United States, or a foreign country? Yes No
- 27. Have you **EVER** trafficked in or benefited from, or knowingly aided, abetted, assisted, conspired or colluded in the illegal trafficking of any controlled substances, such as chemicals, illegal drugs, or narcotics? Yes No
- 28. Are you the spouse, son, or daughter of an alien who illicitly trafficked or aided (or otherwise abetted, assisted, conspired, or colluded) in the illicit trafficking of a controlled substance, such as chemicals, illegal drugs, or narcotics and you obtained, within the last 5 years, any financial or other benefit from this activity of your spouse or parent? Yes No
- 29. If your answer to **Item Number 28.** is "Yes," did you know or should you have reasonably known that the financial or other benefit you obtained resulted from this activity of your spouse or parent? Yes No
- 30. Have you **EVER** engaged in prostitution or are you coming to the United States to engage in prostitution? Yes No
- 31. Have you **EVER** directly or indirectly procured or attempted to procure, or imported prostitutes or persons for the purpose of prostitution? Yes No
- 32. Have you **EVER** received any proceeds or money from prostitution? Yes No
- 33. Do you intend to engage in illegal gambling or any other form of commercialized vice, such as prostitution, bootlegging, or the sale of child pornography, while in the United States? Yes No
- 34. Have you **EVER** exercised immunity (diplomatic or otherwise) to avoid being prosecuted for a criminal offense in the United States? Yes No
- 35.a. Have you **EVER** served as a foreign government official? Yes No
- 35.b. If your answer to **Item Number 35.a.** is "Yes," have you **EVER** been responsible for, enforced, or directly carried out violations of religious freedoms? Yes No
- 36. Have you **EVER** induced by force, fraud, or coercion (or otherwise been involved in) the trafficking of another person for commercial sex acts (sex trafficking)? Yes No

NOTE: Sex trafficking involves inducing or causing an adult to engage in a commercial sex act (any sex act performed for anything of value) through fraud, force, or coercion, or inducing or causing any person under 18 years of age to engage in a commercial sex act (even without force, fraud, or coercion). Sex trafficking may include recruiting, enticing, harboring, transporting, providing, obtaining, advertising, maintaining, patronizing, or soliciting by any means a person to engage in the commercial sex act knowing (or, in the case of advertising, with reckless disregard of the fact) that the person is under 18 years of age or that force, fraud, or coercion was used to induce or cause the person to engage in the commercial sex act. Sex trafficking may also include knowingly benefiting financially or by receiving anything of value, from participation in a venture involving sex trafficking.

- 37. Have you **EVER** trafficked a person into involuntary servitude, peonage, debt bondage, or slavery? Yes No
Trafficking includes recruiting, harboring, transporting, providing, or obtaining a person for labor or services through the use of force, fraud, or coercion.



A-Number ▶ A- [REDACTED]

Part 9. General Eligibility and Inadmissibility Grounds (continued)

- 38. Have you **EVER** knowingly aided, abetted, assisted, conspired, or colluded with others in trafficking in persons for commercial sex acts or involuntary servitude, peonage, debt bondage, or slavery? Yes No
- 39. Are you the spouse, son, or daughter of an alien who engaged in the trafficking in persons and have received or obtained, within the last 5 years, any financial or other benefits from this activity of your spouse or your parent? Yes No
- 40. If your answer is "Yes" to Item Number 39., did you know or reasonably should have known that this benefit resulted from this activity of your spouse or parent? Yes No
- 41. Have you **EVER** engaged in money laundering or have you **EVER** knowingly aided, assisted, abetted, conspired, or colluded with others in money laundering or do you seek to enter the United States to engage in such activity? Yes No

Security and Related

Do you intend to:

- 42.a. Engage in any activity that violates or evades any law relating to espionage (including spying) or sabotage in the United States? Yes No
- 42.b. Engage in any activity in the United States that violates or evades any law prohibiting the export from the United States of goods, technology, or sensitive information? Yes No
- 42.c. Engage in any activity whose purpose includes opposing, controlling, or overthrowing the U.S. Government by force, violence, or other unlawful means while in the United States? Yes No
- 42.d. Engage in any other unlawful activity? Yes No

Have you **EVER**:

- 43.a. Received any weapons training, paramilitary training, or other military-type training? Yes No
- 43.b. Committed kidnapping, assassination, or hijacking or sabotage of a conveyance (including an aircraft, vessel, vehicle, or train)? Yes No
- 43.c. Used a weapon or explosive or any dangerous device with the intent to endanger the safety of another person or people or cause damage to property? Yes No
- 43.d. Threatened, attempted, conspired, prepared, or planned to do any of the things described in Item Numbers 43.b. - 43.c.? Yes No
- 43.e. Incited, under circumstances indicating an intention to cause death or serious bodily harm/injury, any of the activities described in Item Numbers 43.b. - 43.c.? Yes No
- 43.f. Participated in, or been a member of, a group or organization that did any of the activities described in Item Numbers 43.b. - 43.e.? Yes No
- 43.g. Recruited members or asked for money or things of value for a group or organization that did any of the activities described in Item Numbers 43.b. - 43.e.? Yes No
- 43.h. Provided money, a thing of value, services or labor, or any other assistance or support for any of the activities described in Item Numbers 43.b. - 43.e.? Yes No
- 43.i. Provided money, a thing of value, services or labor, or any other assistance or support for an individual, group, or organization who did any of the activities described in Item Numbers 43.b. - 43.e.? Yes No
- 44. Do you intend to engage in any of the activities listed in any part of Item Numbers 43.b. - 43.e.? Yes No
- 45. Do you intend to engage in any activity that could endanger the welfare, safety, or security of the United States? Yes No

NOTE: If you answered "Yes" to any part of Item Numbers 42.a. - 45., explain what you did, including the dates and location of the circumstances, or what you intend to do in the space provided in Part 14. Additional Information.



A-Number ▶ A-



Part 9. General Eligibility and Inadmissibility Grounds (continued)

46. Are you the spouse or child of an individual who **EVER** engaged in any of the activities listed in Item Numbers 43.b. - 43.i.? Yes No

NOTE: If you answered "Yes" to any part of Item Number 46., explain what your parent or spouse did, including the dates and location of the circumstances in Part 14. **Additional Information.**

47. Have you **EVER** sold, provided, or transported weapons, or assisted any person in selling, providing, or transporting weapons, which you knew or believed would be used against another person? Yes No

48. Have you **EVER** worked, volunteered, or otherwise served in any prison, jail, prison camp, detention facility, labor camp, or any other place where people were detained, or have you **EVER** directed or participated in any other activity that involved detaining people? Yes No

49. Have you **EVER** been a member of, assisted, or participated in any group, unit, or organization of any kind in which you or other persons used any type of weapon against any person or threatened to do so? Yes No

50. Have you **EVER** served in, been a member of, assisted (helped), or participated in any military or police unit? Yes No

51. Have you **EVER** served in, been a member of, assisted (helped), or participated in any armed group (a group that carries weapons), for example: paramilitary unit (a group of people who act like a military group, but are not part of the official military), self-defense unit, vigilante unit, rebel group, or guerrilla group? Yes No

If you answered "Yes" to Item Number 50. or 51., include the name of the country, the name of the military unit or armed group, your rank or position, and your dates of involvement in your explanation in Part 14. **Additional Information.**

52. Have you **EVER** been a member of, or in any way affiliated with, the Communist Party or any totalitarian party (in the United States or abroad)? Yes No

Have you **EVER** ordered, incited, called for, committed, assisted, helped with, or otherwise participated in any of the following:

53.a. Torture? Yes No

53.b. Genocide? Yes No

53.c. Killing, or trying to kill, any person? Yes No

53.d. Intentionally and severely injuring or trying to injure any person? Yes No

54. Have you **EVER** recruited, enlisted, conscripted, or used any person under 15 years of age to take part in hostilities or to serve in or help an armed force or group, or attempted or worked with others to do so? Yes No

55. Have you **EVER** used any person under 15 years of age to take part in hostilities, for instance, participating in combat or providing services related to combat (such as sabotage or serving as a courier) or providing support services (such as transporting supplies), or attempted or worked with others to do so? Yes No

NOTE: If you answered "Yes" to any part of Item Numbers 47. - 55., explain what occurred, including the dates and location of the circumstances, in the space provided in Part 14. **Additional Information.**



A-Number ▶ A- [REDACTED]

Part 9. General Eligibility and Inadmissibility Grounds (continued)

Public Charge

Each alien who is subject to the public charge ground of inadmissibility in INA section 212(a)(4) must complete Item Numbers 57. - 66. An alien is subject to the public charge ground of inadmissibility if the alien does not fall under one of the categories exempt from the public charge ground of inadmissibility listed below. If you fall under one of the exempt categories listed below, please select the exempt category, and skip Item Numbers 57. - 66. If you do not fall under one of the exempt categories listed below, select "I do not fall under any of the exempt categories listed above and will complete Item Numbers 57. - 66."

NOTE: For more information, see Part 9. General Eligibility and Inadmissibility Grounds, *Public Charge* section of these Instructions.

56. I am exempt from the public charge ground of inadmissibility because I am a/an (select only one box):

- VAWA Self-Petitioner (Form I-360)
- Special Immigrant Juvenile (Form I-360)
- Certain Afghan or Iraqi National (Form I-360 or Form DS-157)
- Asylee (Form I-589 or Form I-730)
- Refugee (Form I-590 or Form I-730)
- Victim of Qualifying Criminal Activity (U Nonimmigrant) under INA section 245(m) (Form I-918, Form I-918A, or Form I-929)
- Any category other than INA section 245(m), but you are in valid U nonimmigrant status at the time you file your application for adjustment of status. (This exemption only applies if, at the time of the adjudication of Form I-485, you are still in valid U nonimmigrant status. If, at the time of adjudication of Form I-485, you are no longer in valid U nonimmigrant status, you will be subject to the public charge ground of inadmissibility.)
- Human Trafficking Victim (T nonimmigrant) under INA section 245(l) (Form I-914 or Form I-914A)
- Any category other than INA section 245(l), but you either have a pending application for T nonimmigrant status (Form I-914) that sets forth a prima facie case for eligibility or are in valid T nonimmigrant status at the time you file your application for adjustment of status. (This exemption only applies if your Form I-914 is still pending and deemed to be prima facie eligible or you are in valid T nonimmigrant status when we adjudicate your adjustment of status application.)
- Cuban Adjustment Act
- Cuban Adjustment Act for Battered Spouses and Children
- Dependent Status under the Haitian Refugee Immigrant Fairness Act
- Dependent Status under the Haitian Refugee Immigrant Fairness Act for Battered Spouses and Children
- Cuban and Haitian Entrants Applying for Adjustment of Status under section 202 of the Immigration Reform and Control Act of 1986
- A Lautenberg Parolee
- National of Vietnam, Cambodia, or Laos Applying under the Foreign Operations, Export Financing, and Related Programs
- Continuous Residence in the United States Since Before January 1, 1972 ("Registry")
- Amerasian Homecoming Act
- Polish or Hungarian Parolee
- Nicaraguans and Other Central Americans under section 203 of the Nicaraguan Adjustment and Central American Relief Act (NACARA)
- American Indian Born in Canada (INA section 289) or the Texas Band of Kickapoo Indians of the Kickapoo Tribe of Oklahoma, Public Law 97-429 (Jan. 8, 1983)
- Section 7611 of the National Defense Authorization Act for Fiscal Year 2020 (Liberian Refugee Immigration Fairness)



A-Number ▶ A- [REDACTED]

Part 9. General Eligibility and Inadmissibility Grounds (continued)

- Syrian National Adjusting Status under Public Law 106-378
- Spouse, Child, or Parent of a U.S. Active-Duty Service Member in the Armed Forces under the National Defense Authorization Act (NDAA) (Form I-130 or Form I-360)
- I do not fall under any of the exempt categories listed above and will complete Item Numbers 57. - 66.

If you selected "I do not fall under any of the exempt categories listed above and will complete Item Numbers 57. - 66." in Item Number 56., complete Item Numbers 57. - 66. below. If you selected an exempt category in Item Number 56., go to Item Number 67. If you need extra space to complete this section, use the space provided in Part 14. Additional Information.

57. What is the size of your household?

58. Indicate your annual household income.
 \$0-27,000 \$27,001-52,000 \$52,001-85,000 \$85,001-141,000 Over \$141,000

59. Identify the total value of your household assets.
 \$0-18,400 \$18,401-136,000 \$136,001-321,400 \$321,401-707,100 Over \$707,100

60. Identify the total value of your household liabilities (including both secured and unsecured liabilities).
 \$0 \$1-10,100 \$10,101-57,700 \$57,701-186,800 Over \$186,800

61. What is the highest degree or grade of school you have completed?
 Less than a high school diploma. If you select this option, indicate the highest grade of school you have completed.

 High school diploma, GED, or alternative credential 1 or more years of college credit, no degree
 Associate's degree Bachelor's degree Master's degree Professional degree (JD, MD, DMD, etc.)
 Doctorate degree

62. List your certifications, licenses, skills obtained through work experience, and educational certificates.

List of Certifications
Barber Certification
Completed two years of a High School Technical Degree with a focus in Industrial Chemistry

63. Have you ever received Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), or state, Tribal, territorial, or local cash benefit programs for income maintenance (often called "General Assistance" in the state context, but which also exist under other names)? Yes No

64. Have you ever received long-term institutionalization at government expense? Yes No

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Part 9. General Eligibility and Inadmissibility Grounds (continued)

65. If your answer to Item Number 63. is "Yes," list the specific benefit(s) you received, the start and end dates of each period of receipt, the dollar amount of benefits received, and whether you received the benefits while you were in an immigration category exempt from the public charge ground of inadmissibility.

Benefit Received	Start Date	End Date	Dollar Amount	In a Category Exempt from Public Charge
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

66. If your answer to Item Number 64. is "Yes," list the name, city, and state for each institution, the start and end dates of each period of institutionalization, the reason you were institutionalized, and whether you were institutionalized while you were in an immigration category exempt from the public charge ground of inadmissibility.

Institution Name/City/State	Date From	Date To	Reason	In a Category Exempt from Public Charge
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

Illegal Entries and Other Immigration Violations

67. Have you EVER failed or refused to attend or to remain in attendance at any removal proceeding filed against you on or after April 1, 1997? Yes No

NOTE: If your answer to Item Number 67. is "Yes," attach a written statement explaining why you failed or refused to attend or remain in attendance at the removal proceeding, including any explanation of a reasonable cause for that failure or refusal.

68. Have you EVER submitted altered, fraudulent, or counterfeit documentation to any U.S. Government official to obtain or attempt to obtain any immigration benefit, including a visa or entry into the United States? Yes No

69. Have you EVER lied about, concealed, or misrepresented any information on an application or petition to obtain a visa, other documentation required for entry into the United States, admission to the United States, or any other kind of immigration benefit? Yes No

70. Have you EVER falsely claimed to be a U.S. citizen (in writing or any other way)? Yes No

71. Have you EVER been a stowaway on a vessel or aircraft arriving in the United States? Yes No

72. Have you EVER knowingly encouraged, induced, assisted, abetted, or aided any alien to enter or to try to enter the United States illegally (alien smuggling)? Yes No

73. Are you under a final order of civil penalty for violating INA section 274C for use of fraudulent documents? Yes No

Removal, Unlawful Presence, or Illegal Reentry After Previous Immigration Violations

74. Have you EVER been excluded, deported, or removed from the United States or have you ever departed the United States on your own after having been ordered excluded, deported, or removed from the United States? Yes No

75. Have you EVER entered the United States without being inspected and admitted or paroled? Yes No

A-Number ▶ A- [REDACTED]

Part 9. General Eligibility and Inadmissibility Grounds (continued)

76. Since April 1, 1997, have you been unlawfully present in the United States? You were unlawfully present in the United States if you were present in the United States after the expiration of the period of stay authorized by the Department of Homeland Security (DHS) Secretary or were present in the United States without being admitted or paroled. Yes No

NOTE: If you answered "Yes" to Item Number 76., give the dates of unlawful presence in the space provided in Part 14. Additional Information.

77. If you answered "Yes" to Item Number 76., was a severe form of trafficking in persons at least one central reason for your unlawful presence in the United States? Yes No

NOTE: Severe trafficking in persons involves sex trafficking (the recruitment, harboring, transportation, provision, or obtaining of a person to commit a commercial sex act) induced by force, fraud, coercion, or in which the person is induced to perform such act has not reached 18 years of age, or the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Since April 1, 1997, have you EVER reentered or attempted to reenter the United States without being inspected and admitted or paroled after:

78.a. Having been unlawfully present in the United States for more than one year in the aggregate on or after April 1, 1997? You were unlawfully present in the United States for more than one year in the aggregate if you count all of the days during all of your stays that you were present in the United States after the expiration of the period of stay authorized by the DHS Secretary or were present in the United States without being admitted or paroled. Yes No

78.b. Having been deported, excluded, or removed from the United States? Yes No

Miscellaneous Conduct

79. Do you plan to practice polygamy in the United States? Yes No

80. Are you accompanying an alien who is inadmissible and who has been certified by a medical officer as helpless from sickness, mental or physical disability, or infancy, and who requires your protection or guardianship, as described in INA section 232(c)? Yes No

81. Have you EVER assisted in detaining, retaining, or withholding custody of a U.S. citizen child outside the United States from a person who has been granted custody of the child? Yes No

82. Have you EVER voted in violation of any Federal, state, or local constitutional provision, statute, ordinance, or regulation in the United States? Yes No

83. Have you EVER renounced U.S. citizenship to avoid being taxed by the United States? Yes No

Have you EVER:

84.a. Applied for exemption or discharge from training or service in the U.S. armed forces or in the U.S. National Security Training Corps on the ground that you are an alien? Yes No

84.b. Been relieved or discharged from such training or service on the ground that you are an alien? Yes No

84.c. Been convicted of desertion from the U.S. armed forces? Yes No

85. Have you EVER left or remained outside the United States to avoid or evade training or service in the U.S. armed forces in time of war or a period declared by the President to be a national emergency? Yes No

86. If you answered "Yes" to Item Number 85., what was your nationality or immigration status immediately before you left (for example, U.S. citizen or national, lawful permanent resident, nonimmigrant, parolee, present without admission or parole, or any other status)?

[Empty rectangular box for answer to item 86]



A-Number ▶ A-

Part 10. Applicant's Contact Information, Certification, and Signature

Applicant's Contact Information

Provide your daytime telephone number, mobile telephone number (if any), and email address (if any).

- 1. Applicant's Daytime Telephone Number
- 2. Applicant's Mobile Telephone Number (if any)
- 3. Applicant's Email Address (if any)

Applicant's Certification and Signature

I certify, under penalty of perjury, that I provided or authorized all of the responses and information contained in and submitted with my application, I read and understand or, if interpreted to me in a language in which I am fluent by the interpreter listed in Part 11., understood, all of the responses and information contained in, and submitted with, my application, and that all of the responses and the information are complete, true, and correct. Furthermore, I authorize the release of any information from any and all of my records that USCIS may need to determine my eligibility for an immigration request and to other entities and persons where necessary for the administration and enforcement of U.S. immigration law.

- 4. Applicant's Signature Date of Signature (mm/dd/yyyy)

Part 11. Interpreter's Contact Information, Certification, and Signature

Interpreter's Full Name

- 1. Interpreter's Family Name (Last Name) Interpreter's Given Name (First Name)
- 2. Interpreter's Business or Organization Name

Interpreter's Contact Information

- 3. Interpreter's Daytime Telephone Number
- 4. Interpreter's Mobile Telephone Number (if any)
- 5. Interpreter's Email Address (if any)

Interpreter's Certification and Signature

I certify, under penalty of perjury, that I am fluent in English and , and I have interpreted every question on the application and Instructions and interpreted the applicant's answers to the questions in that language, and the applicant informed me that he or she understood every instruction, question, and answer on the application.

- 6. Interpreter's Signature Date of Signature (mm/dd/yyyy)



A-Number ▶ A- [REDACTED]

Part 12. Contact Information, Certification, and Signature of the Person Preparing this Application, if Other Than the Applicant

Preparer's Full Name

1. Preparer's Family Name (Last Name)	Preparer's Given Name (First Name)
<input type="text" value="Reetz Hightower"/>	<input type="text" value="Leanne"/>
2. Preparer's Business or Organization Name	
<input type="text" value="Barringer Law Firm"/>	

Preparer's Contact Information

3. Preparer's Daytime Telephone Number	4. Preparer's Mobile Telephone Number (if any)
<input type="text" value="3033772338"/>	<input type="text"/>
5. Preparer's Email Address (if any)	
<input type="text" value="leanne@barringerlawfirm.com"/>	

Preparer's Certification and Signature

I certify, under penalty of perjury, that I prepared this application for the applicant at his or her request and with express consent and that all of the responses and information contained in and submitted with the application are complete, true, and correct and reflects only information provided by the applicant. The applicant reviewed the responses and information and informed me that he or she understands the responses and information in or submitted with the application.

6. Preparer's Signature	Date of Signature (mm/dd/yyyy)
<input type="text"/>	<input type="text"/>

NOTE: Do not complete Part 13. until the USCIS Officer instructs you to do so at the interview.

Part 13. Signature at Interview

I swear (affirm) and certify under penalty of perjury under the laws of the United States of America that I know that the contents of this Form I-485, Application to Register Permanent Residence or Adjust Status, subscribed by me, including the changes made to this application, numbered through , are complete, true, and correct. All information on additional pages submitted by me with this Form I-485, on numbered pages through are complete, true, and correct. All documents submitted at this interview were provided by me and are complete, true, and correct.

Subscribed to and sworn to (affirmed) before me

USCIS Officer's Printed Name or Stamp	Date of Signature (mm/dd/yyyy)
<input type="text"/>	<input type="text"/>
Applicant's Signature (sign in ink)	USCIS Officer's Signature (sign in ink)
<input type="text"/>	<input type="text"/>

A-Number ▶ A- [REDACTED]

Part 14. Additional Information

If you need extra space to provide any additional information within this application, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this application or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.

1.	Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
	Perez Rivas	Gerson	Eleazar

2.	Page Number	Part Number	Item Number
	4	1	

Prior Address 2
 Street Number and Name: [REDACTED] City or Town: [REDACTED]
 State: [REDACTED] Zip Code: [REDACTED] Country: United States
 Dates of Residence:
 From (mm/yyyy): 01/2024 To (mm/yyyy): 02/2025

3.	Page Number	Part Number	Item Number
	4	1	

Prior Address 3
 Street Number and Name: [REDACTED] City or Town: [REDACTED] Province: [REDACTED]
 Country: Columbia
 Dates of Residence:
 From (mm/yyyy): 06/2022 To (mm/yyyy): 12/2023

4.	Page Number	Part Number	Item Number
	4	1	

Prior Address 4
 Street Number and Name: [REDACTED] City or Town: [REDACTED] Province: [REDACTED]
 Country: Ecuador
 Dates of Residence:
 From (yyyy): 2018 To (mm/yyyy): 06/2022

5.	Page Number	Part Number	Item Number
	9	4	

Employer 3 - Name of Employer: [REDACTED]
 City or Town: [REDACTED] State: [REDACTED] Country: United States
 Occupation: Landscaping
 Dates of Employment:
 From (mm/yyyy): [REDACTED] To (mm/yyyy): [REDACTED]



A-Number ▶ A- [Redacted]

Part 14. Additional Information

If you need extra space to provide any additional information within this application, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this application or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.

1. Family Name (Last Name) Given Name (First Name) Middle Name (if applicable)

Perez Rivas	Gerson	Eleazar
-------------	--------	---------

2. Page Number Part Number Item Number

9	4	
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Employer 4 - Self Employed

Street Number and Name: [Redacted] City or Town: [Redacted]
 State: [Redacted] Zip Code: [Redacted] Country: United States

Occupation: Housekeeping/ Cleaning

Dates of Employment: From (mm/yyyy): 01/2024 To (mm/yyyy): 07/2024

3. Page Number Part Number Item Number

9	4	
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Employer 4 - Self Employed

Street Number and Name: [Redacted] City or Town: [Redacted]
 Province: [Redacted] Country: Colombia

Occupation: Barber

Dates of Employment: From (yyyy): 2020 To (mm/yyyy): 12/2023

4. Page Number Part Number Item Number

14	9	14
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Applicant is currently in removal proceedings.

5. Page Number Part Number Item Number

14	9	22-25
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On October 15, 2025 applicant was charged and pled guilty to Driving While Ability Impaired (DWA). Applicant's sentence was satisfied through time served in the detention center. At the time of his arrest, applicant was also charged with Careless Driving, Controlled Substance- Possession, and Possession of Drug Paraphernalia. These charges were dismissed and no conviction resulted from them.





Affidavit of Support Under Section 213A of the INA

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-864
OMB No. 1615-0075
Expires 10/31/2027

For USCIS Use Only	Affidavit of Support Submitter <input type="checkbox"/> Petitioner <input type="checkbox"/> 1st Joint Sponsor <input type="checkbox"/> 2nd Joint Sponsor <input type="checkbox"/> Substitute Sponsor <input type="checkbox"/> 5% Owner	Section 213A Review <input type="checkbox"/> MEETS requirements <input type="checkbox"/> DOES NOT MEET requirements Reviewed By: _____ Office: _____ Date (mm/dd/yyyy): _____	Number of Support Affidavits in File <input type="checkbox"/> 1 <input type="checkbox"/> 2 Remarks

To be completed by an Attorney or Accredited Representative (if any).	<input checked="" type="checkbox"/> Select this box if Form G-28 or G-28I is attached.	Attorney State Bar Number (if applicable) 6280976	Attorney or Accredited Representative USCIS Online Account Number (if any)
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▶ **START HERE** - Type or print in black ink.

Part 1. Basis For Filing Affidavit of Support

I am the sponsor submitting this affidavit of support because (Select only one box).

- 1.a. I am the petitioner. I filed or am filing for the immigration of my relative.
- 1.b. I filed an alien worker petition on behalf of the intending immigrant, who is related to me as my
- 1.c. I have an ownership interest of at least 5 percent in which filed an alien worker petition on behalf of the intending immigrant, who is related to me as my
- 1.d. I am the only joint sponsor.
- 1.e. I am the first second of two joint sponsors.
- 1.f. The original petitioner is deceased. I am the substitute sponsor. I am the intending immigrant's

NOTE: As a sponsor, you must include proof of your U.S. citizenship, U.S. national status, or lawful permanent resident status.

Part 2. Information About You (Sponsor)

1. Sponsor's Full Legal Name (Do not provide a nickname)

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
Balderrama	Flor	Daisy



Part 2. Information About You (Sponsor) (continued)

2. Sponsor's Current Mailing Address

In Care Of Name (if any)

[Redacted]

Street Number and Name

[Redacted]

Apt. Ste. Flr. Number

[Redacted]

City or Town

[Redacted]

State

ZIP Code

[Redacted]

Province

[Redacted]

Postal Code

[Redacted]

Country

United States

3. Is your current mailing address the same as your physical address?

Yes No

If you answered "No" to Item Number 3., provide your physical address in Item Number 4.

4. Sponsor's Physical Address (if different from the address above)

Street Number and Name

[Redacted]

Apt. Ste. Flr. Number

[Redacted]

City or Town

[Redacted]

State

[Redacted]

ZIP Code

[Redacted]

Province

[Redacted]

Postal Code

[Redacted]

Country

[Redacted]

Other Information

5. Country of Domicile

United States

6. Date of Birth (mm/dd/yyyy)

[Redacted]

7. Country of Birth

United States

8. U.S. Social Security Number (Required)

[Redacted]

9. Immigration Status

I am a U.S. citizen.

I am a U.S. national.

I am a lawful permanent resident.

10. Sponsor's A-Number (if any)

A- [Redacted]

11. USCIS Online Account Number (if any)

[Redacted]

Military Service (To be completed by petitioner sponsors only.)

12. I am currently on active duty in the United States Armed Forces or U.S. Coast Guard.

Yes No



Part 3. Information About the Principal Immigrant

1. Principal Immigrant's Full Legal Name (Do not provide a nickname)

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
Perez Rivas	Gerson	Eleazar

2. Current Mailing Address

In Care Of Name (if any)

Street Number and Name

Apt. Ste. Flr. Number

City or Town

State

ZIP Code

Province

Postal Code

Country

Other Information

3. Country of Citizenship or Nationality	4. Date of Birth (mm/dd/yyyy)
Venezuela	10/05/1998
5. Alien Registration Number (A-Number) (if any)	6. USCIS Online Account Number (if any)
A-	
7. Daytime Telephone Number	

Part 4. Information About the Immigrants You Are Sponsoring

- I am sponsoring the principal immigrant named in Part 3.
 - Yes No, I am sponsoring family members in Part 4, as the second joint sponsor or I am sponsoring family members who are immigrating more than six months after the principal immigrant.
- I am sponsoring the following family members immigrating at the same time or within six months of the principal immigrant named in Part 3. (List family members in Item Numbers 4. - 7. Do not include any relative listed on a separate visa petition.)
- I am sponsoring the following family members who are immigrating more than six months after the principal immigrant. (List family members in Item Numbers 4. - 7.)

4. Family Member 1

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
Relationship to Principal Immigrant	Date of Birth (mm/dd/yyyy)	Alien Registration Number (A-Number, if any)
USCIS Online Account Number (if any)		

Part 4. Information About the Immigrants You Are Sponsoring (continued)

5. Family Member 2

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
<input type="text"/>	<input type="text"/>	<input type="text"/>
Relationship to Principal Immigrant	Date of Birth (mm/dd/yyyy)	Alien Registration Number (A-Number, if any)
<input type="text"/>	<input type="text"/>	<input type="text"/>
USCIS Online Account Number (if any)		
<input type="text"/>		

6. Family Member 3

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
<input type="text"/>	<input type="text"/>	<input type="text"/>
Relationship to Principal Immigrant	Date of Birth (mm/dd/yyyy)	Alien Registration Number (A-Number, if any)
<input type="text"/>	<input type="text"/>	<input type="text"/>
USCIS Online Account Number (if any)		
<input type="text"/>		

7. Family Member 4

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
<input type="text"/>	<input type="text"/>	<input type="text"/>
Relationship to Principal Immigrant	Date of Birth (mm/dd/yyyy)	Alien Registration Number (A-Number, if any)
<input type="text"/>	<input type="text"/>	<input type="text"/>
USCIS Online Account Number (if any)		
<input type="text"/>		

If you need additional space, use the space provided in Part 11. Additional Information.



For USCIS Use Only	
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Part 5. Sponsor's Household Size

NOTE: Do not count any member of your household more than once.

Persons you are sponsoring in this affidavit:

1. Enter the total number of immigrants you are sponsoring on this affidavit which includes the principal immigrant listed in Part 3., any immigrants listed in Part 4., Item Numbers 4. - 7. and, any additional sponsored immigrants you listed in Part 11. Additional Information. Do not count the principal immigrant if you are only sponsoring family members entering more than six months after the principal immigrant. 1

Persons NOT sponsored in this affidavit:

2. Yourself. 1
3. If you are currently married, enter "1" for your spouse. (NOTE: Enter "0" if you already counted your spouse in Item Number 1.) 0
4. If you have dependent children, enter the number here. (NOTE: Enter "0" if you already counted your dependent children in Item Number 1.) 1
5. If you have any other dependents, enter the number here. (NOTE: Enter "0" if you already counted your other dependents in Item Number 1.) 0
6. If you have sponsored any other persons on Form I-864 or Form I-864EZ who are now lawful permanent residents and you are still obligated to support, enter the number here. (NOTE: Enter "0" if you already counted these persons in Item Number 1.) 0
7. If you have siblings, parents, or adult children with the same principal residence who are combining their income with yours by submitting Form I-864A, enter the number here. (NOTE: Enter "0" if you already counted these persons in Item Number 1.) 1
8. Add together Part 5., Item Numbers 1. - 7. and enter the number here.

Household Size: 3

Part 6. Sponsor's Employment and Income

I am currently:

1. Employed as a/an
2. Name of Employer 1
3. Name of Employer 2 (if applicable)
4. Self-Employed as a/an (Occupation) Salon Owner
5. Retired Since (mm/dd/yyyy)
6. Unemployed Since (mm/dd/yyyy)
7. My current individual annual income is: \$

Income you are using from any other person who was counted in your household size, including, in certain conditions, the intending immigrant. (See Form I-864 Instructions.) Please indicate name, relationship, and income.

For USCIS Use Only

Part 6. Sponsor's Employment and Income (continued)

8. Person 1

Name Relationship

Current Income \$

9. Person 2

Name Relationship

Current Income \$

10. Person 3

Name Relationship

Current Income \$

11. Person 4

Name Relationship

Current Income \$

If you need additional space, use the space provided in Part 11. Additional Information

Remarks

12. My Current Annual Household Income (Total all lines from Part 6. Item Numbers 7. - 11.; the total will be compared to Federal Poverty Guidelines on Form I-864P.) \$

13. [X] The people listed in Item Numbers 8. - 11. have completed Form I-864A. I am filing along with this affidavit all necessary Form I-864As completed by these people.

14. [] One or more of the people listed in Item Numbers 8. - 11. do not need to complete Form I-864A because he or she is the intending immigrant and has no accompanying dependents.

Federal Tax Return Information

15. Have you filed a Federal income tax return for each of the three most recent tax years? [X] Yes [] No

NOTE: You MUST attach a photocopy or transcript of your Federal income tax return for only the most recent tax year and complete Item Number 16.a. If you believe additional returns may help you to establish your ability to maintain sufficient income, you may submit transcripts or photocopies of your Federal individual income tax returns for the three most recent years and complete Item Numbers 16.a. - 16.e.

Type or print the most recent tax year and your total income for that most recent tax year. If the amount was zero, type or print "zero" or if you were not required to file a Federal income tax return type or print "N/A" for not applicable. Type or print "N/A" for not applicable for Item Numbers 16.b. - 16.e. if you do are not submitting any additional tax returns.



For USCIS Use Only	
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Part 6. Sponsor's Employment and Income (continued)

My total income (adjusted gross income on IRS Form 1040EZ) as reported on my Federal income tax returns for the most recent year was:

	Tax Year		Total Income
16.a. Most Recent	2024	\$	XXXXXXXXXX
16.b. 2nd Most Recent		\$	
16.c. 3rd Most Recent		\$	

17. I was not required to file a Federal income tax return as my income was below the IRS required level and I have attached evidence to support this.

	Household Size	Poverty Guideline	Sponsor's Household Income <i>(Page 5, Line 10)</i>	Remarks
For USCIS Use Only	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	Year: <u>20</u>	\$ _____	The total value of all assets, line 10, must equal 5 times (3 times for spouses and children of USCs, or 1 time for orphans to be formally adopted in the U.S.) the difference between the poverty guidelines and the sponsor's household income, line 10.
	<input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6			
	<input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9	Poverty Line:		
	<input type="checkbox"/> Other _____	\$ _____		

Part 7. Use of Assets to Supplement Income (if Applicable)

If your income, or the total income for you and your household, from Part 6., Item Numbers 12. or 16. exceeds the Federal Poverty Guidelines for your household size, **YOU ARE NOT REQUIRED** to complete this Part 7. Skip to Part 8.

Your Assets (if applicable)

1. Enter the balance of all cash, savings, and checking accounts. \$
2. Enter the net cash value of real-estate holdings. (Net value means assessed value minus mortgage debt.) \$
3. Enter the net cash value of all stocks, bonds, certificates of deposit, and any other assets not already included in Item Number 1. or Item Number 2. \$
4. Add together Item Numbers 1. - 3. and enter the number here. \$

Assets of your household members (if applicable)

Your household members who are combining their income with yours, report their assets on Form I-864A Part 4., in Item Number 6.

5. Add together the household members' assets reported on all the Form I-864A Part 4., Item Number 6. and enter the number here. TOTAL: \$



Part 7. Use of Assets to Supplement Income (if Applicable) (continued)

Assets of the principal sponsored immigrant (if applicable).

The principal sponsored immigrant is the person listed in Part 3., Item Number 1. Only include the assets if the principal immigrant is being sponsored by this affidavit of support.

- 6. Enter the balance of the principal immigrant's savings and checking accounts. \$
- 7. Enter the net cash value of all the principal immigrant's real estate holdings. (Net value means investment value minus mortgage debt.) \$
- 8. Enter the current cash value of the principal immigrant's stocks, bonds, certificates of deposit, and other assets not included in Item Number 6. or Item Number 7. \$
- 9. Add together Item Numbers 6. - 8. and enter the number here. \$

Total Value of Assets

- 10. Add together Item Numbers 4., 5., and 9. and enter the number here. TOTAL: \$

Part 8. Sponsor's Contract, Contact Information, Certification, and Signature

NOTE: Read the Penalties section of the Form I-864 Instructions before completing this part.

Sponsor's Contract

Please note that, by signing this Form I-864, you agree to assume certain specific obligations under the Immigration and Nationality Act (INA) and other Federal laws. The following paragraphs describe those obligations. Please read the following information carefully before you sign Form I-864. If you do not understand the obligations, you may wish to consult an attorney or accredited representative.

What is the Legal Effect of My Signing Form I-864?

If you sign Form I-864 on behalf of any person (called the intending immigrant) who is applying for an immigrant visa or for adjustment of status to a lawful permanent resident, and that intending immigrant submits Form I-864 to the U.S. Government with his or her application for an immigrant visa or adjustment of status, under INA section 213A, these actions create a contract between you and the U.S. Government. The intending immigrant becoming a lawful permanent resident is the consideration for the contract.

Under this contract, you agree that, in deciding whether the intending immigrant can establish that he or she is not inadmissible to the United States as a person likely to become a public charge, the U.S. Government can consider your income and assets as available for the support of the intending immigrant.

What If I Choose Not to Sign Form I-864?

The U.S. Government cannot make you sign Form I-864 if you do not want to do so. But if you do not sign Form I-864, the intending immigrant may not become a lawful permanent resident in the United States.

What Does Signing Form I-864 Require Me To Do?

If an intending immigrant becomes a lawful permanent resident in the United States based on a Form I-864 that you have signed, then, until your obligations under Form I-864 terminate, you must:

- A. Provide the intending immigrant any support necessary to maintain him or her at an income that is at least 125 percent of the Federal Poverty Guidelines for his or her household size (100 percent if you are the petitioning sponsor and are on active duty in the U.S. Armed Forces or U.S. Coast Guard, and the person is your husband, wife, or unmarried child under 21 years of age); and
- B. Notify U.S. Citizenship and Immigration Services (USCIS) of any change in your address, within 30 days of the change, by filing Form I-865.

Part 8. Sponsor's Contract, Contact Information, Certification, and Signature (continued)

What Other Consequences Are There?

If an intending immigrant becomes a lawful permanent resident in the United States based on a Form I-864 that you have signed, then, until your obligations under Form I-864 terminate, the U.S. Government may consider (deem) your income and assets as available to that person, in determining whether he or she is eligible for certain Federal means-tested public benefits and also for state or local means-tested public benefits, if the state or local government's rules provide for consideration (deeming) of your income and assets as available to the person.

This provision does not apply to public benefits specified in section 403(c) of the Welfare Reform Act such as emergency Medicaid, short-term, non-cash emergency relief; services provided under the National School Lunch and Child Nutrition Acts; immunizations and testing and treatment for communicable diseases; and means-tested programs under the Elementary and Secondary Education Act.

What If I Do Not Fulfill My Obligations?

If you do not provide sufficient support to the person who becomes a lawful permanent resident based on a Form I-864 that you signed, that person may sue you for this support.

If a Federal, state, local, or private agency provided any covered means-tested public benefit to the person who becomes a lawful permanent resident based on a Form I-864 that you signed, the agency may ask you to reimburse them for the amount of the benefits they provided. If you do not make the reimbursement, the agency may sue you for the amount that the agency believes you owe.

If you are sued, and the court enters a judgment against you, the person or agency that sued you may use any legally permitted procedures for enforcing or collecting the judgment. You may also be required to pay the costs of collection, including attorney fees.

If you do not file a properly completed Form I-865 within 30 days of any change of address, USCIS may impose a civil fine for your failing to do so.

When Will These Obligations End?

Your obligations under a Form I-864 that you signed will end if the person who becomes a lawful permanent resident based on that affidavit:

- A. Becomes a U.S. citizen;
- B. Has worked, or can receive credit for, 40 quarters of coverage under the Social Security Act;
- C. No longer has lawful permanent resident status and has departed the United States;
- D. Is subject to removal, but applies for and obtains, in removal proceedings, a new grant of adjustment of status, based on a new affidavit of support, if one is required; or
- E. Dies.

NOTE: Divorce does not terminate your obligations under Form I-864.

Your obligations under a Form I-864 that you signed also end if you die. Therefore, if you die, your estate is not required to take responsibility for the person's support after your death. However, your estate may owe any support that you accumulated before you died.

NOTE: Select the box for either Item A. or B. in Item Number 1. If applicable, select the box for Item Number 2.



Part 8. Sponsor's Contract, Contact Information, Certification, and Signature (continued)

Sponsor's Statement

1. Sponsor's Statement Regarding the Interpreter

- A. I can read and understand English, and I have read and understand every question and instruction on this affidavit and my answer to every question.
- B. The interpreter named in Part 9. read to me every question and instruction on this affidavit and my answer to every question in , a language in which I am fluent, and I understood everything.

2. At my request, the preparer named in Part 10., , prepared this affidavit for me based only upon information I provided or authorized.

Sponsor's Contact Information

3. Sponsor's Daytime Telephone Number

4. Sponsor's Mobile Telephone Number (if any)

5. Sponsor's Email Address (if any)

Sponsor's Declaration and Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS or the U.S. Department of State (DOS) may require that I submit original documents to USCIS or DOS at a later date. Furthermore, I authorize the release of any information from any of my records that USCIS or DOS may need to determine my eligibility for the immigration benefit I seek.

I furthermore authorize release of information contained in this affidavit, in supporting documents, and in my USCIS or DOS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration law.

I certify, under penalty of perjury, that all of the information in my affidavit and any document submitted with it were provided or authorized by me, that I reviewed and understand all of the information contained in, and submitted with, my affidavit, and that all of this information is complete, true, and correct.

- A. I know the contents of this affidavit of support that I signed;
- B. I have read and I understand each of the obligations described in Part 8., and I agree, freely and without any mental reservation or purpose of evasion, to accept each of those obligations in order to make it possible for the immigrant indicated in Part 3. to become a lawful permanent resident of the United States;
- C. I agree to submit to the personal jurisdiction of any Federal or state court that has subject matter jurisdiction of a lawsuit against me to enforce my obligations under this Form I-864EZ;
- D. Each of the Federal income tax returns submitted in support of this affidavit are true copies, or are unaltered tax transcripts, of the tax returns I filed with the IRS;
- E. I understand that, if I am related to the sponsored immigrant by marriage, the termination of the marriage (by divorce, dissolution, annulment, or other legal process) will not relieve me of my obligations under this Form I-864EZ; and
- F. I authorize the Social Security Administration to release information about me in its records to the USCIS and DOS.

Sponsor's Signature

6. Sponsor's Signature

Date of Signature (mm/dd/yyyy)

NOTE TO ALL SPONSORS: If you do not completely fill out this affidavit or fail to submit required documents listed in the Instructions, USCIS or DOS may deny your request.

Part 9. Interpreter's Contact Information, Certification, and Signature

Interpreter's Full Name

- 1. Interpreter's Family Name (Last Name) Interpreter's Given Name (First Name)
- 2. Interpreter's Business or Organization Name

Interpreter's Contact Information

- 3. Interpreter's Daytime Telephone Number
- 4. Interpreter's Mobile Telephone Number (if any)
- 5. Interpreter's Email Address (if any)

Interpreter's Certification and Signature

I certify, under penalty of perjury, that that I am fluent in English and , and I have interpreted every question on the affidavit and Instructions and interpreted the sponsor's answers to the questions in that language, and the sponsor informed me that they understood every instruction, question, and answer on the affidavit.

- 6. Interpreter's Signature Date of Signature (mm/dd/yyyy)

Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Affidavit, if Other Than the Sponsor

Preparer's Full Name

- 1. Preparer's Family Name (Last Name) Preparer's Given Name (First Name)
- 2. Preparer's Business or Organization Name

Preparer's Contact Information

- 3. Preparer's Daytime Telephone Number
- 4. Preparer's Mobile Telephone Number (if any)
- 5. Preparer's Email Address (if any)

Preparer's Certification and Signature

I certify, under penalty of perjury, that I prepared this affidavit for the sponsor at their request and with express consent and that all of the responses and information contained in and submitted with the affidavit are complete, true, and correct and reflects only information provided by the sponsor. The sponsor reviewed the responses and information and informed me that they understand the responses and information in or submitted with the affidavit.

- 6. Preparer's Signature Date of Signature (mm/dd/yyyy)

Part 11. Additional Information

If you need extra space to provide any additional information within this contract, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this contract or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.

1.	Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
	Balderrama	Flor	Daisy

2. A-Number (if any) ▶ A-

3.	Page Number	Part Number	Item Number
	<input type="text"/>	<input type="text"/>	<input type="text"/>

4.	Page Number	Part Number	Item Number
	<input type="text"/>	<input type="text"/>	<input type="text"/>

5.	Page Number	Part Number	Item Number
	<input type="text"/>	<input type="text"/>	<input type="text"/>

6.	Page Number	Part Number	Item Number
	<input type="text"/>	<input type="text"/>	<input type="text"/>



Exhibit C

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director
Camp Springs, MD 20588-0009



U.S. Citizenship
and Immigration
Services

December 2, 2025

PM-602-0192

Policy Memorandum

SUBJECT: Hold and Review of all Pending Asylum Applications and all USCIS Benefit Applications Filed by Aliens from High-Risk Countries¹

Purpose

Effective immediately, this memorandum directs U.S. Citizenship and Immigration Services (USCIS) personnel to:

1. Place a hold on all Forms I-589 (Application for Asylum and for Withholding of Removal), regardless of the alien's country of nationality, pending a comprehensive review;
2. Place a hold on pending benefit requests² for aliens from countries listed in *Presidential Proclamation (PP) 10949, Restricting the Entry of Foreign Nationals To Protect the United States From Foreign Terrorists and Other National Security and Public Safety Threats*,³ pending a comprehensive review, regardless of entry date⁴; and
3. Conduct a comprehensive re-review of approved benefit requests for aliens from countries listed in PP 10949 who entered the United States on or after January 20, 2021.⁵

This memorandum mandates that all aliens meeting these criteria undergo a thorough re-review process, including a potential interview⁶ and, if necessary, a re-interview, to fully assess all national security and public safety threats along with any other related grounds of inadmissibility or ineligibility.⁷ An individualized, case-by-case review and assessment will be done of all relevant information and facts. USCIS will also conduct a comprehensive review of all relevant policies,

¹ On June 4, 2025, the President issued Presidential Proclamation 10949, *Restricting the Entry of Foreign Nationals To Protect the United States From Foreign Terrorists and Other National Security and Public Safety Threats*. Exercising authority under section 212(f) of the Immigration and Nationality Act (INA), the proclamation imposes restrictions, limitations, and exceptions on the entry of aliens from 19 high-risk countries. Under INA 212(f), the President may suspend or restrict the entry of any aliens deemed detrimental to U.S. interests. See 90 FR 24497 (PDF) (June 4, 2025).

² The term "benefit request" in this memorandum does not include USCIS screening activities, including credible fear, reasonable fear, safe third country, third country removal, and threshold screenings under the Asylum Cooperative Agreements.

³ This applies to aliens who list one of the 19 high-risk countries as their Country of Birth or Country of Citizenship.

⁴ Including Form I-485 (Application to Register Permanent Residence or Adjust Status), Form I-90 (Application to Replace Permanent Resident Card (Green Card)), Form N-470 (Application to Preserve Residence for Naturalization Purposes), Form I-751, (Petition to Remove Conditions on Residence), and Form I-131 (Application for Travel Documents, Parole Documents, and Arrival/Departure Records).

⁵ Entered may include admitted, inspected, paroled, or entered without inspection.

⁶ Interviews for this population shall not be waived under any circumstance. For benefit requests where an interview is not required, the case review and evaluation will determine if the alien needs to appear at a USCIS office.

⁷ See INA 212(a)(3)(A), (B), and (F) and 237(a)(4)(A) and (B).

PM-602-0192: Hold and Review of all Pending Asylum Applications and all USCIS Benefit Applications Filed by Aliens from High-Risk Countries
Page: 2

procedures, and operational guidance for compliance, accuracy, and needed improvements during this time.

This guidance outlines the adjudicative hold, procedural requirements, and processes for the re-review, interview, or re-interview of affected aliens. USCIS personnel are instructed to prioritize national security and public safety concerns and ensure compliance with all applicable laws and regulations during the adjudication process. All findings must be documented in accordance with established protocols to support any subsequent determinations or actions.

Background

On January 20, 2025, the President issued Executive Order (EO) 14161, titled *Protecting the United States from Foreign Terrorist and Other National Security and Public Safety Threats*. This order aims to safeguard U.S. citizens from aliens who may seek to commit terrorist acts, pose threats to national security, promote hateful ideologies, or exploit immigration laws for malicious purposes. EO 14161 underscores the importance of vigilance during the visa issuance process to ensure that individuals approved for admission into the United States do not intend to harm Americans or compromise U.S. national interests.

Recently, the United States has seen what a lack of screening, vetting, and prioritizing expedient adjudications can do to the American people. An Afghan national, Nasir Ahmad Tawhedi, planned a terrorist attack in the United States on Election Day 2024. Tawhedi pled guilty in federal court to conspiring and attempting to provide material support and resources to the Islamic State of Iraq and al-Sham (ISIS).⁸ In another instance, an Afghan national, Rahmanullah Lakanwal, is suspected of planning and executing a terrorist attack in Washington, DC against two National Guard members,⁹ one who was killed and another who remains critically injured. USCIS plays an instrumental role in preventing terrorists from seeking safe haven in the United States and ensuring that USCIS' screening and vetting and adjudications prioritize the safety of the American people and uphold all U.S. laws.

In light of identified concerns and the threat to the American people, USCIS has determined that a comprehensive re-review, potential interview, and re-interview of all aliens from high-risk countries of concern who entered the United States on or after January 20, 2021 is necessary. Lastly, USCIS may, when appropriate, extend this review and re-interview process to aliens who entered the United States outside of this timeframe.

USCIS remains committed to ensuring that all aliens from high-risk countries of concern that entered the United States do not present threats to national security or public safety. To address vulnerabilities during this process, and in order to conduct a comprehensive review of all policies, procedures, and guidance, USCIS has determined that it must implement an adjudicative hold on all pending asylum applications, regardless of the alien's country of nationality, as well as pending benefit requests filed by aliens from high-risk countries outlined in PP 10949. This hold will remain

⁸ See *Afghan National Pleads Guilty to Plotting Election Day Terror Attack in the United States*, U.S. Department of Justice, June 13, 2025.

⁹ See *Terrorist Who Shot Two National Guard Members in D.C. Was Let into the Country by the Biden Administration's Operation Allies Welcome Program*, U.S. Department of Homeland Security Press Release, November 26, 2025.

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in effect until lifted by the USCIS Director through a subsequent memorandum. Any requests to lift the hold due to litigation or other extraordinary circumstances must receive approval from the USCIS Director or Deputy Director.¹⁰

Guidance

USCIS has determined the operational necessity to ensure that all asylum applicants and aliens from high-risk countries of concern who entered the United States do not pose a threat to national security or public safety. This effort ensures that USCIS exercises its full authority to investigate immigration benefit requests filed by aliens who may pose risks to the national security and public safety of the United States, as outlined in DHS Delegation of Authority 0150.1, issued June 5, 2003.

USCIS will conduct a thorough review on a case-by-case basis to assess benefit eligibility including whether:

1. The alien is listed in the Terrorist Screening Dataset (TSDS) as a Known or Suspected Terrorist (KST) under Tier 1 or Tier 2 classifications or is included in Tier 3 or Tier 4 of the TSDS with significant derogatory information related to the alien.
2. The alien is connected to prior, current, or planned involvement in, or association with, an activity, individual, or organization described in sections 212(a)(3)(A), (B), or (F), or 237(a)(4)(A) or (B) of the Immigration and Nationality Act (INA).
3. The alien is linked to prior, current, or planned involvement in, or association with, an activity, individual, or organization that may pose a risk of serious harm or danger to the community, including criminal conduct described in INA 101(a)(43), 212(a)(1)(A)(iii), 212(a)(2), 237(a)(2), or 237(a)(4)(A)(ii).
4. The alien is unable to establish their identity as outlined in PP 10949.¹¹

This process ensures that USCIS exercises its full authority to protect national security and public safety while adhering to the provisions of the INA and applicable laws. USCIS has considered that this direction may result in delay to the adjudication of some pending applications and has weighed that consequence against the urgent need for the agency to ensure that applicants are vetted and screened to the maximum degree possible. Ultimately, USCIS has determined that the burden of processing delays that will fall on some applicants is necessary and appropriate in this instance, when weighed against the agency's obligation to protect and preserve national security.

Within 90 days of issuance of this memorandum, USCIS will prioritize a list for review, interview, re-interview, and referral to ICE and other law enforcement agencies as appropriate, and, in consultation with the Office of Policy and Strategy and the Fraud Detection and National Security Directorate, issue operational guidance.

Use

¹⁰ Any request for an exemption to the adjudicative hold must be coordinated with the Office of Policy and Strategy.

¹¹ See USCIS Policy Manual, Volume 1, General Policies and Procedures, Part E, Adjudications, Chapter 8, Discretionary Analysis [1 USCIS-PM E.8].

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This policy memorandum is intended solely for the guidance of USCIS personnel in the performance of their official duties, but it does not remove their discretion in making adjudicatory decisions. It may not be relied upon to create any right or benefit, substantive or procedural, enforceable under law or by any individual or other party in removal proceedings, in litigation with the United States, or in any other form or manner.