

1 KRISTEN JACKSON (SBN: 226255)  
2 Public Counsel  
3 610 South Ardmore Avenue  
4 Los Angeles, CA 90005  
5 Tel: (213) 385-2977  
6 Fax: (213) 385-9089

7 Immigration Attorney for  
8 John Henry Doe Roe (aka John Doe)

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF LOS ANGELES  
11 JUVENILE COURT

12 The People of the State of California )  
13 vs. ) Case No. FJ123456  
14 John Henry Doe Roe ) MOTION FOR AN ORDER REGARDING  
15 AKA ) ELIGIBILITY FOR SPECIAL IMMIGRANT  
16 John Doe ) JUVENILE STATUS  
17 ) Date:  
18 ) Time:  
19 ) Dept.: 205  
20 )

21 Nonminor dependent John Henry Doe Roe (aka John Doe), through immigration counsel,  
22 moves this Court to sign an Order Regarding Eligibility for Special Immigrant Juvenile Status  
23 (JV-224).

24 **I. INTRODUCTION**

25 This Motion is submitted in support of John’s request for an order making the necessary  
26 factual findings to enable him to petition the U.S. Citizenship and Immigration Services (“CIS,”  
27 formerly “INS”) for Special Immigrant Juvenile Status (“SIJS”) pursuant to  
28 Section 101(a)(27)(J) of the Immigration and Nationality Act (the “INA”). The relevant

1 provision of the INA is codified at 8 U.S.C. § 1101(a)(27)(J) (attached as Exhibit A). The Code  
2 of Federal Regulations sets forth the standard for implementing the statute at 8 C.F.R. § 204.11  
3 (attached as Exhibit B). Note that the regulations do not yet reflect the December 2008 statutory  
4 changes Congress made to SIJS via the William Wilberforce Trafficking Victims Protection  
5 Reauthorization Act of 2008 (“TVPRA”), Pub. L. No. 110-457, § 235(d)(1)-(3), 122 Stat. 5044.

6 Under the statute’s amended form, now applicable to all SIJS cases, a Special Immigrant  
7 Juvenile is an unmarried person under the age of twenty-one who is in the United States; who  
8 has been declared dependent on a juvenile court located in the United States or whom a juvenile  
9 court has legally committed to, or placed in the custody of, an agency or department of a State or  
10 of an individual or entity appointed by a State or juvenile court; whose reunification with one or  
11 both parents is not viable due to abuse, neglect, abandonment or a similar basis found in state  
12 law; and in whose best interest it is to remain in the United States. 8 U.S.C. § 1101(a)(27)(J).

13 For John to be eligible to apply to CIS for SIJS, a juvenile or State court must first make  
14 several findings of fact. Under the law, the juvenile or State court does not make any  
15 immigration decisions, but rather, makes factual findings concerning the youth. The juvenile or  
16 State court—and not CIS—makes these findings because these are the courts with expertise in  
17 juvenile matters. The required findings are as follows:

- 18  
19 1. The youth is dependent upon the juvenile court or has been legally  
20 committed to, or placed under the custody of, an agency or department of  
21 a State, or an individual or entity appointed by a State or juvenile court,  
22 within the meaning of 8 U.S.C. § 1101(a)(27)(J) (the accompanying  
23 regulations found at 8 C.F.R. §§ 204.11(a) and (d)(2)(i) do not reflect the  
24 2008 statutory amendments);
- 25 2. The youth’s reunification with one or both parents is not viable due to  
26 abuse, neglect, abandonment or similar basis found under State law within  
27 the meaning of 8 U.S.C. § 1101(a)(27)(J) (the accompanying regulations  
28 found at 8 C.F.R. §§ 204.11(d)(2)(ii) do not reflect the 2008 statutory  
amendments); and
3. It is not in the “best interest” of the youth to be returned to his or his  
parents’ previous country of nationality or country of last habitual  
residence within the meaning of 8 U.S.C. § 1101(a)(27)(J) and 8 C.F.R.  
§ 204.11(d)(2)(iii).

1 Factual findings by this Court will not entitle John to SIJS or to lawful permanent  
2 residence in the United States. Rather, the Court’s findings are a prerequisite to filing a *petition*  
3 for immigration relief. *See* 8 C.F.R. § 204.11(d)(2). Without the requested court order, John  
4 cannot petition CIS for SIJS. *Id.* He must submit the order to CIS as part of his petition for  
5 SIJS. Based on his SIJS petition, he can also submit an application for lawful permanent  
6 residency. CIS ultimately will adjudicate his petition and application after an interview. CIS  
7 retains the discretionary authority to approve or to deny John’s petition for SIJS and application  
8 for permanent residency. This Court’s role in his petition for SIJS is limited to making the  
9 factual findings listed above and does not include the ability to “determine worthy candidates for  
10 citizenship.” *Leslie H. v. Superior Court*, 224 Cal. App. 4th 340, 351 (2014). John respectfully  
11 requests that the Court issue an order making the appropriate findings of fact to enable him to  
12 petition for SIJS and apply for lawful permanent residence.

13 **II. STATEMENT OF FACTS**

14 John is a 20-year-old youth who was born in Usulután, El Salvador. Declaration of John  
15 Henry Doe Roe ¶¶ 1-2 (attached as Exhibit C). John came to live in the United States with his  
16 mother when he was approximately eight years old. *Id.* ¶ 2. He has been here ever since. *Id.*  
17 He speaks English well and he has attended school here since the first grade. *Id.* His maternal  
18 grandfather is deceased, his maternal grandmother lives in the United States, and John does not  
19 know any of his other relatives in El Salvador. *Id.* ¶ 3.

20 John did not receive the care and guidance of a father growing up. *Id.* ¶ 4. According to  
21 John’s mother, John’s father’s name is not on John’s birth certificate because he was not willing  
22 to be listed there. *Id.* John never lived with his father. *Id.* John visited his father’s house only a  
23 handful of times when John lived in El Salvador. *Id.* John has not spoken with his father since  
24 John moved to the United States approximately twelve years ago. *Id.* ¶ 5. John believes his  
25 father may still live in El Salvador, but he does not know for certain. *Id.* John’s father has  
26 provided no financial or emotional support; he has not provided for John with food, clothing or  
27 shelter. *Id.* John has had to navigate life without the support of his father, and currently he has  
28 no way of contacting or communicating with his father. *Id.*

1 As reflected in the record of this case, John has faced challenges and made some serious  
2 mistakes in his time in the United States. As a result, on June 28, 2012 John was declared a ward  
3 of this Court and was sent to live at treatment programs administered by Rancho San Antonio  
4 and Fuente de Esperanza. *Id.* ¶ 6. Eventually, he completed counseling and other terms of his  
5 probation. *Id.* On February 18, 2015, after he signed a Voluntary Reentry Agreement, he was  
6 declared a nonminor dependent of this Court and his care was vested with the Los Angeles  
7 County Probation Department. *Id.* ¶ 7. John attends Five Keys Charter School programs and is  
8 working to obtain his high school diploma. *Id.* He continues to receive academic and  
9 independent living support services, and he hopes to graduate from high school, go to college,  
10 and pursue his dreams of becoming an auto mechanic or a chef. *Id.*

11 If John is returned to El Salvador, he will have no one to provide him with care and  
12 protection. He does not know any family members there who could help him. *Id.* ¶ 8. He does  
13 not know how he would support himself. *Id.* He is afraid he would be left alone and wandering  
14 the streets. *Id.* He would likely lose all hope of completing his education, and will not have  
15 access to the services he has available to him here in the United States—services that are  
16 instrumental in his rehabilitation, and are crucial to his future success. *Id.* He also fears the  
17 gangs that are plaguing El Salvador, and he worries that he might be recruited if he were to  
18 return there. *Id.* He worries that he could fall victim to the violence that is commonplace in El  
19 Salvador. *Id.*

20 John is seeking the protection of the United States by applying for SIJS. If the Court  
21 makes the requisite findings of fact to establish John’s eligibility for SIJS, he will petition CIS  
22 for his classification as a Special Immigrant Juvenile. If CIS approves his petition, he will be  
23 eligible to adjust status to permanent residence. This means John will be able to apply for his  
24 “green card.” As a lawful permanent resident, he will have the right to live and work in the  
25 United States. After five years as a lawful permanent resident, John can apply for U.S.  
26 citizenship.

1 **III. ARGUMENT**

2 John is in immediate need of an Order Regarding Eligibility for Special Immigrant  
3 Juvenile Status. John meets the criteria for a Special Immigrant Juvenile because he is a  
4 nonminor dependent, his father has abandoned him, and it is not in his best interests to be  
5 returned to El Salvador. Obtaining the requisite immigration order and regularizing his status in  
6 the United States will provide John with protection from deportation to a country where no one  
7 can care for him. Furthermore, legal status will facilitate John’s ability to pursue higher  
8 education in the United States, to work to support himself as an adult, and to become a  
9 productive member of society.

10 **A. THIS COURT IS A “JUVENILE COURT” AS DEFINED BY THE APPLICABLE**  
11 **IMMIGRATION LAWS AND IT HAS JURISDICTION AND A DUTY TO ISSUE**  
12 **THE SIJS ORDER UNDER CALIFORNIA LAW**

13 In order for John to apply for SIJS, a State “juvenile court” or other State court must  
14 make certain findings of fact. *See* 8 U.S.C. § 1101(a)(27)(J)(i); 8 C.F.R. § 204.11. Immigration  
15 regulations define the term “juvenile court” as “a court located in the United States having  
16 jurisdiction under State law to make judicial determinations about the custody and care of  
17 juveniles.” 8 C.F.R. § 204.11(a). The court in *Leslie H.*, acknowledging that SIJS findings can  
18 arise out of delinquency proceedings, noted that “[t]he SIJ statute affirms the institutional  
19 competence of state courts as the appropriate forum for child welfare determinations regarding  
20 abuse, neglect, or abandonment, and a child’s best interests.” 224 Cal. App. at 348 (quoting  
21 *Matter of Mario S.*, 954 N.Y.S.2d 843, 849 (N.Y. Fam. Ct. 2012)); *see also* Code Civ. Proc. §  
22 155(a).

23 California law grants juvenile delinquency courts the jurisdiction to place a child in the  
24 “care, custody and control” of the probation department as a Section 602 ward. *See* Welf. &  
25 Inst. Code § 727. Further, it allows certain nonminors previously declared to be 602 wards or  
26 300 dependents to remain under the jurisdiction of the juvenile court as nonminor dependents.  
27 *See, e.g., id.* § 303(b), (c) (affirming that certain nonminors remain under the court’s general  
28 jurisdiction and that they may petition the court to resume dependency or resume or assume  
transition jurisdiction). A juvenile court, if requested by a qualifying nonminor, “must” vest the

1 nonminor’s “placement and care” in county probation or a child welfare agency. Cal. Rule of  
2 Court 5.906(i)(2)(A)(i); *see* Judicial Council Form JV-472. These are obviously decisions  
3 regarding “custody and care of juveniles,” as noted in 8 C.F.R. § 204.11(a). Thus, this Court  
4 clearly qualifies as a “juvenile court” recognized by the federal government for purposes of SIJS.

5 **1. THIS COURT HAS A DUTY TO MAKE THE REQUESTED FINDINGS**  
6 **UNDER RECENTLY-ENACTED CALIFORNIA LAW**

7 Senate Bill 873, signed into law by Governor Brown on September 27, 2014, “eliminates  
8 any ambiguity regarding the jurisdiction of the state court to make findings necessary to enable  
9 the federal government to grant these minors special immigrant juvenile status.” *Governor*  
10 *Brown Signs Legislation to Help Unaccompanied Minors*, Office of Governor Edmund G.  
11 Brown Jr. (Sept. 27, 2014), <http://gov.ca.gov/news.php?id=18734>. SB 873 added Chapter 7 to  
12 Title 1 of Part 1 of the Code of Civil Procedure. Section 155 of that chapter now states: “(a) A  
13 superior court has jurisdiction under California law to make judicial determinations regarding the  
14 custody and care of children . . . which includes . . . the juvenile . . . court division[] of the  
15 superior court . . .,” clearly indicating this Court’s power to make the requested findings. *See*  
16 Code Civ. Proc. § 155 (attached as Exhibit D).

17 In addition to having the power to make SIJS findings, this Court has a mandatory duty to  
18 do so under Section 155(b)(1), which states: “If an order is requested from the superior court  
19 making the necessary findings regarding special immigrant juvenile status pursuant to Section  
20 1101(a)(27)(J) of Title 8 of the United States Code, and there is evidence to support those  
21 findings, which may consist of . . . a declaration by the child who is the subject of the petition,  
22 the court shall issue the order[.]” Because this Court has jurisdiction over John as a nonminor  
23 dependent under Welfare and Institutions Code Section 450, he requests a SIJS order from this  
24 Court, and there is ample evidence to support the findings, this Court has a duty to make the SIJS  
25 findings in the proposed JV-224 filed along with this Motion.

1           **2. THIS COURT’S ROLE IS LIMITED TO MAKING SIJS FINDINGS AND**  
2           **IT IS CALLED UPON ONLY TO DETERMINE WHETHER JOHN**  
3           **MEETS THE CRITERIA FOR THE FINDINGS**

3           The state court has a limited, though essential, role in the SIJS process as it is “charged  
4 with making a preliminary determination of the child’s dependency and his or her best interests,  
5 which is a prerequisite to an application to adjust status as a special immigrant juvenile.” *Mario*  
6 *S.*, 954 N.Y.S.2d at 849. This Court’s role in the SIJS process is simply to make factual findings  
7 of eligibility for youth in their jurisdiction who meet the criteria for SIJS. The Court of Appeal  
8 recognized this limited role of superior courts in *Leslie H.* There, it considered a juvenile  
9 delinquency court’s refusal to issue SIJS findings for a minor who met the SIJS criteria. The  
10 Court of Appeal made clear that once a juvenile court reviews and makes factual findings of SIJS  
11 eligibility, its role in the SIJS process is complete. *Leslie H.*, 224 Cal. App. 4th at 351. It is the  
12 federal government that then adjudicates the SIJS petition and ultimately determines whether a  
13 youth will be granted lawful permanent residency in the United States.

14           This role is consistent with Congress’s intent to allow certain abused, abandoned or  
15 neglected children to “remain safely in the country with a means to apply for [lawful permanent  
16 resident] status.” *Mario S.*, 954 N.Y.S.2d at 848 (citing *Garcia v. Holder*, 659 F.3d 1261,  
17 1271 (9th Cir. 2011)). It would be contrary to the SIJS statute’s purpose to deny SIJS findings  
18 when the youth satisfies the eligibility criteria. By enacting a statute and regulation committing  
19 this specific role to state courts, the federal government did not intend for juvenile courts to:

20           determine any other issues, such as what the motivation of the juvenile in making  
21 application for the required findings might be; whether allowing a particular child  
22 to remain in the United States might someday pose some unknown threat to  
23 public safety; and whether the USCIS, the federal administrative agency charged  
24 with enforcing the immigration laws, may or may not grant a particular  
25 application for adjustment of status as an SIJ. . . . Nothing in 8 U.S.C.  
§1101(a)(27)(J) or the regulation indicates that the Congress intended that state  
juvenile courts prescreen potential SIJ applications for possible abuse on behalf of  
the USCIS.

26 *Mario S.*, 954 N.Y.S.2d at 852-53 (internal citations omitted). No doubt, this Court has a clear,  
27 crucial, and circumscribed part to play in John’s immigration process.

1 **B. JOHN IS A SECTION 450 NONMINOR DEPENDENT OF THIS COURT**  
2 **WHOSE PLACEMENT AND CARE HAVE BEEN VESTED IN THE LOS**  
3 **ANGELES COUNTY PROBATION DEPARTMENT**

4 John, previously a Section 602 ward, has entered transition jurisdiction as a nonminor  
5 dependent pursuant to his right to do so under Welfare and Institutions Code Section 388(e). At  
6 the hearing on his petition to reenter, this Court “vested” his “placement and care” in the Los  
7 Angeles County Probation Department. Thus, John is clearly “dependent on” this Court and has  
8 been “legally committed to, or placed under the custody of, an agency or department of a State”  
9 within the meaning of 8 U.S.C. § 1101(a)(27)(J). The fact that he is a “nonminor” under  
10 California law is not relevant for SIJS purposes, since this Court retains its jurisdiction over him  
11 and he still qualifies as a child under the SIJS regulations until he reaches age 21. *See* Welf. &  
12 Inst. Code §§ 303(b), 450; 8 C.F.R. § 204.11(c)(1).

13 **C. REUNIFICATION WITH ONE OR BOTH OF JOHN’S PARENTS IS NOT**  
14 **VIABLE DUE TO ABUSE, NEGLECT, ABANDONMENT OR A SIMILAR BASIS**  
15 **FOUND UNDER STATE LAW**

16 Prior to the TVPRA amendments, eligibility for SIJS also depended on a court’s  
17 determination that a juvenile was *eligible for long-term foster care* due to abuse, neglect or  
18 abandonment. However, under the TVPRA modifications, a court now must find that the  
19 juvenile’s reunification with one or both of his parents is not viable due to abuse, neglect,  
20 abandonment or a similar basis found under State law. *See* 8 U.S.C. § 1101(a)(27)(J)(i); Donald  
21 Neufeld, Acting Associate Director for Domestic Operations, U.S. Citizenship & Immigration  
22 Services, *Trafficking Victims Protection Reauthorization Act of 2008: Special Immigrant*  
23 *Juvenile Status Provisions*, at 2 (Mar. 24, 2009) (attached as Exhibit E) (“Neufeld  
24 Memorandum”). The California Court of Appeal has confirmed in the context of delinquency  
25 proceedings that “the eligibility requirements . . . hinge primarily on a reunification  
26 determination.” *Leslie H.*, 224 Cal. App. at 349 (quoting *Mario S.*, 954 N.Y.S.2d at 848-49). As  
27 outlined below, John meets this eligibility requirement.  
28



1                   **1. REUNIFICATION WITH JOHN’S FATHER IS NOT VIABLE DUE TO**  
2                   **ABANDONMENT**

3                   John’s reunification with his father is not a viable option because his father abandoned  
4 him. He has not provided for John financially or emotionally, and he has had no communication  
5 with John for years. Under California law, a parent is considered to have “abandoned” a child  
6 when the parent has left the child “in the care and custody of the other parent for a period of one  
7 year without any provision for the child’s support, or without communication from the parent,  
8 with the intent on the part of the parent to abandon the child.” Fam. Code § 7822(a)(3). Failure  
9 to provide for or communicate with the child for the statutory period is “presumptive evidence of  
10 abandonment.” *Id.* § 7822(b). Furthermore, a court may find that the parent has abandoned the  
11 child even if he has made “token efforts to support or communicate with the child.” *Id.* In light  
12 of John’s father’s failure to provide for him or communicate with him, it is clear that John cannot  
13 reunite with him due to “abandonment.”

14                   **2. JOHN REMAINS ELIGIBLE FOR SIJS EVEN THOUGH HIS MOTHER**  
15                   **IS PRESENT IN THE UNITED STATES**

16                   Even if John could be reunified with his mother, he remains eligible for SIJS due to his  
17 father’s abandonment. Under the 2008 TVPRA modifications, the court must find that the  
18 juvenile’s reunification with one *or* both of his parents is not viable due to abuse, neglect,  
19 abandonment or a similar basis found under State law. 8 U.S.C. § 1101(a)(27)(J)(i) (emphasis  
20 added). CIS—the arm of the U.S. Department of Homeland Security (“DHS”) responsible for  
21 adjudicating SIJS I-360 visa petitions—has made clear that children who reunite with one parent  
22 can be SIJS eligible. *See* Neufeld Memorandum at 2 (acknowledging statutory change). This is  
23 CIS’s official position as stated to its sister agency U.S. Immigration & Customs Enforcement:

24                   [C]ounsel for USCIS [] has confirmed that a child who enters the United States  
25 illegally to join his/her parent in the United States may be considered  
26 “abandoned” for the purposes of an I-360. However, a child who enters the  
27 United States illegally to join both parents may not be considered abandoned.

28                   DHS Line at 2 (May 6, 2011) (emphasis added) (attached as Exhibit F); *see also* U.S. Citizenship  
and Immigration Services, *Immigration Relief for Abused Children* (2014),  
<http://www.uscis.gov/sites/default/files/USCIS/Green%20Card/Green%20Card%20Through%20>

1 a%20Job/Immigration\_Relief\_for\_Abused\_Children-FINAL.pdf (a SIJS-eligible child may be  
2 “living with . . . the non-abusive parent”).

3 California courts have interpreted it this way as well. *See Eddie E. v. Superior Court*, 234  
4 Cal. App. 4th 319, 332 (2015) (“Accordingly, we hold that the second prerequisite is to be  
5 interpreted literally: “1 or both” means one or both. A petitioner can satisfy this requirement by  
6 showing an inability to reunify with one parent due to abuse, neglect, abandonment, or a similar  
7 basis under state law.”); *In re Israel O.*, 233 Cal. App. 4th 279, 291 (2014) (“We therefore  
8 conclude that an eligible minor under section 1101(a)(27)(J) includes a juvenile for whom a safe  
9 and suitable parental home is available in the United States and reunification with a parent in his  
10 or her country of origin is not viable due to abuse, neglect or abandonment.”). Thus under the  
11 clear terms of the federal statute, its official DHS interpretation, and California case law, John’s  
12 reunification with his mother, were it to occur, would not destroy his SIJS eligibility because  
13 John has shown that reunification with at least one parent, his father, is not viable due to “abuse,  
14 neglect, abandonment or a similar basis found under State law.” 8 U.S.C. § 1101(a)(27)(J)(i).

15 **D. IT IS IN JOHN’S BEST INTEREST TO REMAIN IN THE UNITED STATES**

16 In making John a nonminor dependent and vesting his care in the Los Angeles County  
17 Probation Department, this Court effectively has concluded that it is in John’s best interest to  
18 remain in the United States. In issuing final regulations relating to SIJS, the INS noted, “the  
19 [Immigration] Service does not intend to make determinations in the course of deportation  
20 proceedings regarding the ‘best interest’ of a child for the purposes of establishing eligibility for  
21 special immigrant juvenile classification.” 58 Fed. Reg. 54,42847 (Aug. 12, 1993) (attached as  
22 Exhibit G). “The final rule states that the decision concerning the best interest of the child may  
23 only be made by the juvenile court or in an administrative proceeding authorized or recognized  
24 by the juvenile court.” *Id.*

25 John came to the United States when he was approximately eight years old to reunite  
26 with his mother. Since his arrival, he has never left. Although he had a juvenile petition  
27 sustained against him, he has since rehabilitated. Indeed, as the record in this case reflects,  
28 before declaring him a nonminor dependent, this court terminated his wardship in part because

1 he met his rehabilitative goals. He has lived his most formative years here, and he is now on  
2 track to graduate from high school. He hopes to go on to college upon graduation. He is in a  
3 safe and stable independent living program. As a result, John is receiving academic and  
4 independent living support.

5 If John is returned to El Salvador, he will have no one to provide him with care,  
6 protection, and guidance and will lose access to the services that are so integral to his current  
7 wellbeing. Furthermore, there are many violent gangs in El Salvador that seek out young men  
8 for recruitment. The threat of violent crime in El Salvador is rated by the United States  
9 Department of State as “critically high.” *See 2014 Travel Warning—El Salvador*,  
10 <http://travel.state.gov/content/passports/english/alertswarnings/el-salvador-travel-warning.html>  
11 (last visited August 14, 2015). The high crime and murder rates in El Salvador rank the country  
12 as one of the most violent in the Western Hemisphere. *See U.S. Dep’t of State, El Salvador 2014*  
13 *Crime and Safety Report* (July 2014),  
14 <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=15771>. Furthermore, young people  
15 like John are particularly vulnerable to gang violence; if they defy the gang’s authority, the  
16 punishment is severe. *See Amanda Taub, The Awful Reasons Tens of Thousands of Children Are*  
17 *Seeking Refuge in the United States*, VOX (Sept. 22, 2014),  
18 [http://www.vox.com/2014/6/30/5842054/violence-in-central-america-and-the-child-refugee-](http://www.vox.com/2014/6/30/5842054/violence-in-central-america-and-the-child-refugee-crisis)  
19 [crisis](http://www.vox.com/2014/6/30/5842054/violence-in-central-america-and-the-child-refugee-crisis); *see also* Clare Ribando Seelke, Cong. Research Serv., *Gangs in Central America* (Feb. 20,  
20 2014), <https://fas.org/sgp/crs/row/RL34112.pdf>. It is therefore in John’s best interest to remain  
21 in the United States.

#### 22 **IV. CONCLUSION**

23 This Court has jurisdiction under California law to entertain this Motion for an Order  
24 Regarding Eligibility for Special Immigrant Juvenile Status. For purposes of eligibility for SIJS,  
25 John is a Section 450 nonminor dependent and reunification with his father is not viable due to  
26 abandonment. It is not in his best interest to be returned to his or his parent’s previous country of  
27 nationality or country of last habitual residence—El Salvador. It is in John’s best interest to  
28 remain in the United States. This Court’s findings will allow John to petition for classification as

1 a Special Immigrant Juvenile and then to apply for lawful permanent residency. Without this  
2 Court's findings, John may not qualify for immigration relief under the INA and could face  
3 removal to El Salvador. For the foregoing reasons, John respectfully requests that the Court  
4 issue an order making the requisite findings of fact to permit him to petition CIS for SIJS.  
5

6 DATED: August 19, 2015

Submitted by: \_\_\_\_\_

7 Kristen Jackson  
8 Immigration Attorney for John Henry Doe  
9 Roe (aka John Doe)

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28