



**CATHOLIC LEGAL  
IMMIGRATION  
NETWORK, INC.**

**BIA PRO BONO PROJECT UPDATE**

**July 2010**

CLINIC is grateful to **Michael J. Lichtenstein** of **Shulman, Rogers, Gandal, Porcy & Ecker, P.A.** in Rockville, MD who secured a victory for Mr. T-C before the BIA. Mr. T -C- is a citizen of Mexico who is in poor health and takes daily medications for diabetes and hypertension. He volunteers at his church and with the elderly in his neighborhood. The IJ granted him cancellation of removal after determining that his extensive and close ties with his family, lengthy residence in the United States, steady work history, and hardship to his family outweighed his criminal record and struggle with substance abuse. The BIA dismissed the DHS appeal, upholding the IJ's determination that Mr. T-C merited relief.

**Mr. Lichtenstein** also won a cancellation of removal appeal for Mr. P-M-, a Mexican citizen who has been in the United States since 1989. The IJ granted Mr. P-M- cancellation of removal for non-permanent residents, and DHS appealed. Mr. Lichtenstein, who volunteered to take this case through the BIA Pro Bono Project, argued in his brief that Mr. P-M-'s removal would cause extreme and exceptionally unusual hardship to the man's five-year-old son, who suffers from severe emotional and learning disabilities and has manifested symptoms of autism. The BIA agreed, dismissing the DHS appeal and finding that the IJ's decision was correct.

CLINIC is also thankful to **Mr. Lichtenstein** for his successful brief in the case of Mr. M-R-, a 52-year old Mexican citizen who has been a lawful permanent resident of the United States since he was 6 days old. Mr. M-R is a caregiver for his disabled fiancée, has four U.S. citizen children, and has frequently contributed to charities. The D granted Mr. M-R-'s application for cancellation of removal for lawful permanent residents, finding that a 2006 conviction did not constitute a theft offense and that the positive equities in his case outweighed any negative considerations. DHS appealed, and Mr. Lichtenstein wrote an appellate brief on Mr. M-R-'s behalf. The BIA dismissed the appeal, finding no clear error in the IJ's factual findings and no ground to reverse the D's determination on the merits.