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June 13, 2018

U.S. Department of Homeland Security
Enforcement and Removal Operations
Atlanta Field Office
180 Ted Turner Drive, SW
Suite 522
Atlanta, GA, 30303

RE: REQUEST FOR EMERGENCY STAY OF REMOVAL
Applicant: Teresa Olea-Agaton: A #: 216 031 648

Dear Field Office Director:

I write to you on behalf of Ms. Olea-Agaton, who we represent for purposes of this application, to request that your office grant her an emergency Stay of Removal under 8 C.F.R. §241.6 to give her a temporary reprieve from removal for humanitarian reasons. Ms. Olea-Agaton qualifies for this relief pursuant to 8 C.F.R. §212.5(b)(5) as her “continued detention is not in the public interest.”

BACKGROUND

As described by her daughter, “Teresa Olea Agaton is a great role model, a god-fearing woman, a wife, a mother, a loving grandmother to us.” (Exh. F). **Three of her children have health concerns that are exacerbated by separation from their mother.**

Ms. Olea-Agaton is a 51-year-old woman who has lived in the United States since 1993 and raised her six children here. Four of her children are U.S. citizens and one has DACA. These children—Edith, Lizbeth, Elias, Ana Lilia, and Jesus—are all young adults who need their mom’s support. She is also the grandmother to six grandchildren born in the United States. As Elias describes, “All we have ever known is unity, and not having our mother around has greatly impacted all of our lives in different ways.” (Exh. E).

Ms. Olea-Agaton's USC children will be severely impacted if she is removed immediately. The youngest, 16, will be a senior in high school next year. Two years ago, he was diagnosed with Nephrotic Syndrome and needed urgent care. (Exhs. L, N). Doctors warned the family that he is likely to relapse at least 1-2 times per year and relapses can be more frequent without proper care and attention. *Id.* He requires a special diet. Ms. Olea-Agaton has always cared for her son and cooked him a special diet after his diagnosis. Her son needs her care during his last year of high school and she therefore requests a one-year reprieve from removal.

Ms. Olea-Agaton is not a danger to the community. As the **Director of Catholic Charities Diocese of Joliet describes, "Teresa has been a contributing member of her community and has been a stellar resident, living in the United States for 25 years."** (Exh. H). She has no significant criminal history and has only been ticketed for driving without a license. On August 6, 2017, she was stopped for driving without a license and detained by ICE. Since that time, she has been detained at the Irwin County Detention Center away from her children, missing all the important family events of the past year.

REASONS FOR GRANTING A STAY

Ms. Olea-Agaton is the mother of four U.S. citizen children and one DACA recipient currently pursuing her Master's in Public Policy from DePaul University in Chicago, IL. (Exh. A). **Three of her children need her for medical concerns.** Her church describes:

Teresa ... as the matriarch always teaches the children (all children from 8-80) right from wrong, and how to be good people. We've had discussions about how hard it is to raise children in an environment that seems anti-God, anti-family, and anti-stranger. She always stressed her belief that you always treat others with respect and dignity even when they seem different and against your own beliefs.

Teresa has been an amazing mother to her six children. She has worked diligently to provide a good home and good example for her children. [...] I wish other families could provide the warmth and stability that Teresa and Geronimo have modeled for their children. As a mother of six children, she has stressed education and good citizenship. [...]
Our community will be lessened, diminished and damaged by the loss of such a person. We live in times in desperate need of such people as Teresa. (Exh. I)

Jesus, 16, her youngest child, suffers from Nephrotic Range Proteinuria. Two years ago, when he was diagnosed, he "felt like [he] was dying" and his stomach had swelled to the point that he looked "pregnant." (Exh. C). With his mother's help, he began and stuck to a strict diet to limit the effects of his condition. Without her, he is unable to stick to the diet and risks relapse.

Jesus is also having trouble keeping up with his schoolwork. As he looks ahead to his senior year, he writes: "I just feel like I shouldn't be having a good time while my mom is suffering for no good reason, and every time I think about it I get really depressed. [...] I lost motivation to do anything." *Id.* He further explains: "these past ten months have been the worst of my life. I am only 16 years old. I am not ready to be separated from my mom." *Id.*

Ana Lilia, now 20, suffers from **depression and survived a suicide attempt** several years ago. (Exh. O). She writes:

I suffer with depression and not having my mother with us at home has been very hard for my father, little brother, my sisters, and myself. My mother wasn't just a mom, she was my friend, my motivation, and the person who picks me up when I'm down.

[...] My mother has always been my second hand, my counselor. She always knew what to say to me and she always made sure I was good before I went to school.

[...] I have frequent mental breakdowns at work and find myself getting off task. This fear and sadness has me going on a downward spiral again. (Exh. D)

A temporary reprieve from removal would allow Ana to get the treatment she needs and be better prepared to face her mother's eventual removal.

Elias, 21, writes about the toll on the family of losing their mother: “[i]t feels like our worlds have been completely turned over.” She was studying in college, working, and pregnant when her mother was detained last year. At five months pregnant, her water broke and she was hospitalized on bed rest. Doctors told her “**extremely high levels of stress and depression**” were affecting her baby. Despite everything she did to take care of herself and the baby while trying to support her family during her mother's detention, the baby was stillborn in November. She had to drop out of school and states: “I have lost it all.” (Exh. E).

Lizbeth, 24, is a single mother who suffers from **Adjustment Disorder with mixed anxiety and depressed mood**. She writes that she counted on her mother during difficult times in her relationship with her child's father. “My mom was my biggest support and the biggest encouragement. Always praying for me and teaching me motherly life lessons so I could be a positive example for my daughter.” (Exh. F). She adds, “My mother was literally the glue that held our entire family together,” and describes that her daughter is acting out in her grandmother's absence. *Id.* **Lizbeth's counselor, Amanda Storm, writes: “It is my professional opinion that Lizbeth would suffer major regression with her mental health if her mother should be deported.”** (Exh. P).

Edith, a DACA recipient pursuing her Master's in Public Policy in Chicago, is a testament to her mother's wonderful care and guidance. (Exhs. H, J). She writes,

My mother, as most moms, is the foundation of our family. She is our faith leader, our moral compass, and our joy. My mom has taught us everything good, a forgiving heart, and a steady love. Missing her is like missing an engine to a running car. It does not work. (Exh. G)

Ms. Olea-Agaton is not a flight risk. She has no history of failing to appear to Immigration Court or scheduled appointments with the immigration authorities in the United

States. Her USC children commit to ensuring her compliance with any requirements of the stay. As Catholic Charities Director Langdon writes, “Separating a mother (who has caused no harm and has only added value and joy to her community) from her children [...] is wrong and fiscally imprudent on the state’s part.” (Exh. H). She adds that she would “economically support Teresa” and “ensure that she be present for each appointment and every hearing” going forward. *Id.*

The length of time Ms. Olea-Agaton has been in the United States, her lack of criminal history, and her extensive family and community ties justify granting a stay to give a temporary reprieve from removal. Ms. Olea-Agaton’s continued presence in the United States for the next year—until her son graduates from high school—is critically important to her four USC children, DACA recipient daughter, and six USC grandchildren and would allow everyone to get the necessary medical and psychological services in place to prepare for her eventual leaving. She understands that if granted this requested stay, she will leave the United States at the termination of the approved period.

For the foregoing reasons, and on behalf of Ms. Olea-Agaton, I respectfully request that you grant her a Stay of Removal, so that she may be with her children during the next year, a critical time in their lives, to provide much needed care and support before she leaves the United States. Thank you for your kind attention to this matter.

Sincerely,



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