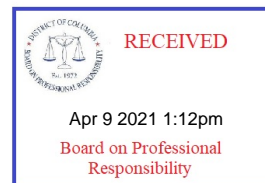


**DISTRICT OF COLUMBIA COURT OF APPEALS  
BOARD ON PROFESSIONAL RESPONSIBILITY**

In the Matter of :  
:  
PABLO A. ZAMORA :  
:  
A Member of the Bar of the :  
District of Columbia Court of Appeals :  
Bar Number: 998467 :  
Date of Admission: January 7, 2011 :  
:  
Respondent :  
:

Disciplinary Docket No. 2017-D142



**RESPONDENT PABLO A. ZAMORA'S  
ANSWER TO SPECIFICATION OF CHARGES**

Respondent, Pablo A. Zamora, Esq. (“Respondent” or “Mr. Zamora”), by and through undersigned counsel, pursuant to the District of Columbia Court of Appeals Board on Professional Responsibility (the “Board”) Rule 7.5, hereby answers the Specification of Charges (“Petition”) filed by the District of Columbia Office of Disciplinary Counsel, and states as follows:

1. Respondent admits the allegations in paragraph 1 of the Specification of Charges.
2. Respondent admits the allegations in paragraph 2 of the Specification of Charges.
3. Respondent denies the allegations in paragraph 3 of the Specification of Charges as characterized by Petitioner, and further avers the following concerning Mr. Ascencio’s incarceration and U-Visa application, which were unrelated matters:

Teka Stiles Ascencio’s (“Mrs. Ascencio”) husband, Jose Diego Ascencio Torres (“Mr. Ascencio”), subsequent to his incarceration and release for a criminal charge, was detained

during the entirety of Mr. Zamora's representation at the Corrections Corporation of America (now known as CoreCivic), a company that owns and manages private prisons and detention centers and operates others on a concession basis.<sup>1</sup> Mr. Ascencio's facility was assigned a San Diego zip code, but in actuality it is on the Mexican border. Mr. Ascencio advised Mr. Zamora that he was brought to the United States in 1994 through a third-party, but it was not clear to Mr. Zamora whether this was a legal entry, i.e., whether he was inspected and lawfully admitted at the border for immigration purposes. Mr. Ascencio attended school in the United States but did not complete high school. He remained in the United States until 2001, at which point he voluntarily decided to return Mexico. He lived in Mexico City until approximately 2002.

In approximately May 2002, Mr. Ascencio attempted to enter the United States by crossing the Mexican border at the San Ysidro, California border check point. He was in a vehicle with Mrs. Ascencio (who was then his girlfriend), her brother, and a friend named Doug who was driving the vehicle. The vehicle was stopped and inspected by a Customs and Border Protection ("CBP") Officer. The CBP Officer requested that Mr. Ascencio produce identification and proof that he could legally enter into the United States, at which time Mr. Ascencio presented an expired license and provided a false name because that did not match the name on the driver's license he presented. Upon discovery of this inconsistency, the CBP Officer took Mr. Ascencio into custody and he was detained for approximately 2 days. On his second day of detention Mr. Ascencio was presented with documents by CBP, which he signed and was then released back into Mexico. Mr. Ascencio did not recall what documents he signed

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<sup>1</sup> <https://en.wikipedia.org/wiki/CoreCivic>

that day, but under immigration regulations he would most likely have been required to sign documents barring him from re-entry into the United States.

Approximately two weeks later, Mr. Ascencio again attempted to enter the United States across the Mexican border, this time at the Tecate border inspection check point, without being inspected and admitted by an immigration officer. With the assistance of third-parties, he successfully entered the United States. Several years later, in late 2006 or early 2007, Mr. Ascencio was apprehended by United States Immigration and Customs Enforcement (“ICE”) officers because he had been convicted of a drug offense for which he served a period of incarceration. In March 2007, while in ICE custody, Mr. Ascencio signed documents and was again returned to Mexico. This removal order to Mexico and drug conviction would have triggered additional bars to his reentry and future immigration to the United States.

Later in March 2007, Mr. Ascencio again returned to the United States from Mexico through the Otay Mesa, California border inspection check point without being inspected and admitted by an immigration officer. In May of 2016, Mr. Ascencio pleaded guilty to and was convicted of a criminal theft charge, which alerted immigration officials of his illegal presence in the United States. It is at this point that Mrs. Ascencio contacted Mr. Zamora for a consultation to discuss her husband’s legal options.

At this first consultation, Mrs. Ascencio discussed Mr. Ascencio’s immigration history with Mr. Zamora. It was determined that since Mr. Ascencio did not at that time fear that he would be persecuted or tortured if returned to Mexico, his only option would be to apply for a U-Visa, which an individual is eligible for if they have been the victim of certain criminal offenses, suffered some sort of harm or trauma, and assisted the government with information, testimony, identification, etc. of the individual(s) who committed the crime. Mr. Zamora

advised Mrs. Ascencio that a U-Visa is issued at the discretion of the United States Citizenship and Immigration Services (“USCIS”), meaning that even if an applicant satisfies all of the criteria, USCIS may decline to issue the U-Visa. Mrs. Ascencio was also advised that applicants with prior criminal convictions and immigration violations have a greatly diminished chance of having an application granted.

Mr. Zamora also advised Mrs. Ascencio of additional difficulties Mr. Ascencio’s U-Visa application would face. First, his prior criminal convictions and immigration violations required the submission and approval of a waiver of these issues, which is also awarded at the sole discretion of USCIS. Second, at that time there was a back log of more than two years for U-Visa applications at USCIS, though if an applicant is detained, a request can be made for the Department of Homeland Security (“DHS”) trial attorneys to request that USCIS expedite and prioritize the U-Visa process, which again is discretionary.

Mr. Zamora also discussed with Mrs. Ascencio the possibility that Mr. Ascencio would be subject to immigration detention once he was released into ICE custody from California state jail. Since Mr. Ascencio had prior criminal convictions and immigration violations, Mr. Zamora advised that he would be subject to mandatory detention, regardless of whether he had a basis for relief from deportation. DHS is vested with the sole authority to determine if an individual subject to mandatory detention should be released while litigating his immigration case. An immigration judge does not have jurisdiction to issue a bond in cases like Mr. Ascencio’s until at least six months after the the individual was taken into ICE custody and detained.

At this consultation, Mrs. Ascencio made clear that Mr. Ascencio’s release was of great importance to her because of his ability to provide additional support for the family. Mr.

Zamora informed her that he understood that all detained individuals want to be released as soon as possible, but not everyone is entitled to release or is able to afford the high bonds that immigration judges or DHS officers typically require of them. He advised Mrs. Ascencio that when an individual is detained, the removal proceedings occur on an accelerated basis and that Mr. Ascencio's case could be decided within a few months only if: (i) he was placed into immigration detention once released from state jail; and (2) he had some sort of defense to the reinstatement of his prior removal order. Since Mr. Ascencio was not in immigration detention at that time, his only option was to submit a U-Visa application in an attempt to prevent his removal from the United States.

On June 13, 2016, Mrs. Ascencio retained Mr. Zamora to prepare and submit the U-Visa application and related paperwork to USCIS on Mr. Ascencio's behalf.

In sum, the U-Visa application that Mr. Zamora was retained to submit had no bearing on a release date for Mr. Ascencio's criminal incarceration, nor could a bond to secure his release in the criminal case be obtained through this U-Visa process, even if it issued in his favor. Any discussion about Mr. Ascencio's potential bond and release during Respondent's consultation with Mrs. Ascencio was solely in the context of Mr. Ascencio not being immediately deported and securing an appearance before an immigration judge, which was by no means guaranteed.

4. Respondent admits the allegations in paragraph 4 of the Specification of Charges.

5. Respondent denies the allegations in paragraph 5 of the Specification of Charges as characterized by Petitioner, and further avers the following concerning the U-Visa retainer agreement:

Petitioner's mischaracterizes the retainer agreement by stating that it "provided only" the selected quotation. The U-Visa retainer agreement provides much more than the selected quotation and a full, true and accurate copy of said agreement is attached hereto as Exhibit 1.

In relevant part, the U-Visa retainer agreement provides the following with respect to the \$2,000.00 flat-fee :

I hereby WAIVE the requirement that the flat fee, given to Pablo A. Zamora, Esq., for work to be performed on my behalf, is to be held in trust. (Ex. 1, p. 1);

Should Client terminate the attorney-client relationship prior to completion of services, Client will be refunded any unearned portion of the fee. Should this event occur, the flat fee retainer agreement will convert to an hourly billing retainer agreement. Attorney will bill Client on an hourly basis for all work performed on Client's case at \$250.00 per hour. Any outstanding portion of the flat fee retainer agreement that is remaining will be refunded to client. Should the converted flat fee retainer not cover all of the work performed on Client's case, Client will pay the remainder of that bill to Attorney. (Ex. 1, p. 2);

**Attorney will have earned the following portions of the flat fee retainer agreement on the dates listed below:** \$2,000.00 on the day the retainer agreement is signed by the parties for preparation of the required documents necessary to begin representation and to begin Attorney's services under this Agreement. (Ex. 1, p. 2, emphasis in original);

Upon discharge or withdrawal, attorney will do an accounting of all work performed in the case based on an hourly rate of \$250.00 per hour. Should the total of all work performed in the case be less than the current balance of the flat fee paid to date, attorney will refund remaining unearned flat fee amount minus costs and expenses owed to attorney. (Ex. 1, p. 5).

6. Respondent admits the allegations in paragraph 6 of the Specification of Charges.
7. Respondent denies the allegations in paragraph 7 of the Specification of Charges and further avers that he and Mrs. Ascencio communicated at great length about the terms of the retainer agreement, the scope of services that would be provided for the flat-fee payment, the nature of the flat-fee payment, and how it would be applied. Respondent also answered all

of Mrs. Ascencio's questions about the retainer agreement and fee both prior to and subsequent to execution. *See also*, Respondent's answer to paragraph 5, above.

8. Respondent admits the allegations in paragraph 8 of the Specification of Charges.

9. Respondent admits the allegations in paragraph 9 of the Specification of Charges.

10. Respondent denies the allegations in paragraph 10 of the Specification of Charges and further avers with respect to the subject invoice as follows:

The subject invoice sent to Mrs. Ascencio listed matters that were performed by Mr. Zamora under the retainer agreement from June 15, 2016 to January 18, 2017; however, this invoice does not reflect all of Mr. Zamora's time and effort spent on the case. Mr. Zamora did not bill Mr. Ascencio for many items in the case such as: reading and responding to numerous text messages and email messages in the case; phone conversations and meetings with Mrs. Ascencio about the case; time spent on the case prior to being retained; time spent on the case after withdrawal of his appearance was granted. Mr. Zamora did not itemize each and every billable item on the invoice because the total time for all tasks performed under the retainer agreement already exceeded the \$2,000.00 flat-fee. Mrs. Ascencio was informed that she was not billed for all the time and work performed on her husband's case in an email dated January 20, 2017. Mrs. Ascencio stated in a subsequent email that she did not have any dispute as to work that Mr. Zamora performed on the case (Exhibit 2, 01/20/2017 email thread), nor did she ever submit to Mr. Zamora a dispute about any time spent working on the case.

11. Respondent admits the allegations in paragraph 11 of the Specification of Charges.

12. Respondent denies the allegations in paragraph 12 of the Specification of Charges, and further avers as follows with respect to the U-Visa application:

Mr. Zamora submitted Mr. Ascencio's U-Visa Petition, U-Visa Waiver, Request for Fee Waiver, and supporting documentation to USCIS via United States Postal Service ("USPS") Priority Mail delivery with proof of delivery. (Ex. 3, Complete Petition Packet; Ex. 4, Proof-of-delivery USPS Priority Mail receipt). The receipt reflects that the aforementioned were delivered to USCIS on July 16, 2016.

13. Respondent denies the allegations in paragraph 13 of the Specification of Charges, and further avers as follows with respect to the second retainer agreement, which speaks for itself:

Mrs. Ascencio retained Mr. Zamora to represent her husband in his removal proceedings case on August 16, 2016. (Ex. 5, 8/16/16 Retainer Agreement). The August 16, 2016 Retainer Agreement expressly states that the scope of services to be provided by Mr. Zamora were for "Removal Proceedings for Jose Ascencio Torres." This scope of representation under this agreement was not limited to Mr. Ascencio's asylum application, as the "removal proceedings" included other various applications for relief if required by the immigration judge. Those various applications included, or could have included, the following: review of a denied U-Visa waiver from USCIS; an application for asylum; withholding of removal and protection under the Convention Against Torture; and any other immigration benefits that he may have been eligible to apply for.

14. Respondent admits the allegations in paragraph 14 of the Specification of Charges and further avers that the August 16, 2016 Retainer Agreement speaks for itself.



15. Respondent denies the allegations in paragraph 15 of the Specification of Charges as characterized by Petitioner, and further avers the following concerning the August 16, 2016 Retainer Agreement:

Petitioner's characterization and suggestion that that the retainer agreement stated only the selected quotation about the flat-fee is inaccurate, as the retainer agreement provides much more about the flat-fee than the selected quotation. (Ex. 5).

In relevant part, the U-Visa retainer agreement provides the following with respect to the \$3,800.00 flat-fee :

I hereby WAIVE the requirement that the flat fee, given to Pablo A. Zamora, Esq., for work to be performed on my behalf, is to be held in trust. (Ex. 5, p. 1);

Should Client terminate the attorney-client relationship prior to completion of services, Client will be refunded any unearned portion of the fee. Should this event occur, the flat fee retainer agreement will convert to an hourly billing retainer agreement. Attorney will bill Client on an hourly basis for all work performed on Client's case at \$250.00 per hour. Any outstanding portion of the flat fee retainer agreement that is remaining will be refunded to client. Should the converted flat fee retainer not cover all of the work performed on Client's case, Client will pay the remainder of that bill to Attorney. (Ex. 5, p. 2);

**Attorney will have earned the following portions of the flat fee retainer agreement on the dates listed below:** \$3,800.00 on the day the retainer agreement is signed by the parties for preparation of the required documents necessary to begin representation and to begin Attorney's services under this Agreement. (Ex. 5, p. 2, emphasis in original);

Upon discharge or withdrawal, attorney will do an accounting of all work performed in the case based on an hourly rate of \$250.00 per hour. Should the total of all work performed in the case be less than the current balance of the flat fee paid to date, attorney will refund remaining unearned flat fee amount minus costs and expenses owed to attorney. (Ex. 5, p. 5).

16. Respondent admits the allegations in paragraph 16 of the Specification of Charges.

17. Respondent denies the allegations in paragraph 17 of the Specification of Charges and further avers that he and Mrs. Ascencio communicated at great length about the terms of the retainer agreement, the scope of services that would be provided for the flat-fee payment, the nature of the flat-fee payment, how it would be applied. Respondent also answered all of Mrs. Ascencio's questions about the retainer agreement and fee both prior to and subsequent to execution. *See also*, Respondent's answer to paragraph 15, above.

18. Respondent admits the allegations in paragraph 18 of the Specification of Charges.

19. Respondent admits the allegations in paragraph 19 of the Specification of Charges to the extent that Mrs. Ascencio asked respondent for the filing receipts for the U-Visa Petition and related documents and to the extent that he provided her with a receipt for the U-Visa Waiver application. Respondent denies the allegations in paragraph 19 that he "failed to provide" Mrs. Ascencio with a receipt for the U-Visa Application, which implies that Mr. Zamora possessed such a receipt and did not provide it upon request. Respondent further avers that he was never provided with a receipt for the Petition by the USCIS and never possessed such a receipt to produce to Mrs. Ascencio.

20. Respondent denies the allegations in paragraph 20 of the Specification of Charges and further avers as follows with respect to his communications with Mrs. Ascencio after August 16, 2016:

Mr. Zamora was in communication with Mrs. Ascencio through March 27, 2017. (Ex. 6, text messages between Respondent and Mrs. Ascencio; Ex. 7, emails between Respondent and Mrs. Ascencio). Mr. Zamora communicated with Mrs. Ascencio prior to being retained for

representation of Jose Ascencio and continued to communicate with Mrs. Ascencio for more than two months after his appearance for Mr. Ascencio was withdrawn.

21. Respondent denies the allegations in paragraph 21 of the Specification of Charges and further avers as follows with respect to his communications with Mr. Ascencio:

Mr. Ascencio contacted Mr. Zamora's office after business operation hours. As such, attorney Zamora was not at the office or available to speak to Mr. Ascencio when he called during these hours. Mr. Ascencio did relay what information he wanted to provide to attorney Zamora via Mrs. Ascencio, who then relayed that information to Mr. Zamora. Mrs. Ascencio was aware of attorney Zamora's office regular business hours and Mr. Zamora's policy with respect to non-business-hours communications, which policy is expressly stated in Mr. Zamora's email signature line and speaks for itself.

22. Respondent admits the allegations in paragraph 22 of the Specification of Charges.

23. Respondent admits the allegations in paragraph 23 of the Specification of Charges, and further avers as follows with respect to the hearing dates:

The Court *sua sponte* rescheduled the December 2, 2016 hearing to December 28, 2016. This new date was in the middle of the Christmas and New Year's holiday week. Mr. Zamora was previously scheduled to be out of town during this time. Had the Court not rescheduled the hearing from December 2, 2016 to December 28, 2016, attorney Zamora would have attended the December 2, 2016 hearing.

24. Respondent admits the allegations in paragraph 24 of the Specification of Charges.

25. Respondent admits the allegations in paragraph 25 of the Specification of Charges.

26. Respondent denies the allegations in paragraph 26 of the Specification of Charges, and further avers the following with respect to the cessation of his representation for Mr. Ascencio:

Mr. Zamora requested that his appearance be withdrawn as counsel of record for Mr. Ascencio, and both Mr. and Mrs. Ascencio agreed to Mr. Zamora's withdrawal from representation. Mr. Zamora provided Mrs. Ascencio with an itemized hourly billing of the case. (Ex. 2). Mr. Zamora requested that any billing dispute or request for refund be put in writing and sent to attorney Zamora. (Ex. 2). Mr. and Mrs. Ascencio never request a refund of any portion of either retainer fee, nor did they dispute any billable time or fees of Mr. Zamora on the cases. After Mr. Zamora moved for withdrawal of his appearance, Mrs. Ascencio expressed her thanks for all of the work Mr. Zamora performed in the cases and that she was sorry things did not work out. (Ex. 7, emails dated December 16 and 18).

27. Respondent denies the allegations in paragraph 27 of the Specification of Charges, and further avers the following with respect to the subject hearing dates:

Mr. Zamora did not have a conflict with the January 4, 2017 hearing date. Mr. Zamora filed a motion to continue the bond hearing date scheduled for January 4, 2017 at Mr. and Mrs. Ascencio's request because they were not happy with the Immigration Judge assigned to hear bond hearings on that date. (Ex. 6, p. 26, text message from Mrs. Ascencio to attorney Zamora dated December 9, 2016).

28. Respondent admits the allegations in paragraph 28 of the Specification of Charges.

29. Respondent admits the allegations in paragraph 29 of the Specification of Charges, and further avers the following with respect to the bond hearing and withdrawal request:

Mrs. Ascencio requested that Mr. Zamora file the motion to continue the original bond date hearing because Mr. and Mrs. Ascencio did want the judge assigned to Mr. Ascencio's bond hearing to adjudicate his case. Because Mr. and Mrs. Ascencio no longer wanted Mr. Zamora to represent Mr. Ascencio, Mr. Zamora advised Mrs. Ascencio that her husband needed to contact the Court to reschedule the bond hearing date. (Ex. 7, email dated January 9, 2017 between Mrs. Ascencio and Mr. Zamora). Though the judge granted the motion to continue the bond hearing on December 28, 2016, Mr. Zamora did not have notice that it was granted until several days later when the Court mailed the signed judge's order to his office. Since he was not aware of the Court's ruling, Mr. Zamora had already submitted the motion to withdraw to the immigration court in advance of receiving the continuance decision.

30. Respondent admits the allegations in paragraph 30 of the Specification of Charges.

31. Respondent denies the allegations in paragraph 31 of the Specification of Charges, and further avers as follows with respect to the work her performed on Mr. Ascencio's case:

Mr. Zamora performed a great deal of substantive work in both the U-Visa case and the Removal Proceedings case. This is evidenced by the many documents, court pleadings, USCIS paperwork, correspondence, emails, text messages, phone calls, in-person meetings and other record evidence in these cases. Mr. Zamora did not issue a refund to Mrs. Ascencio because he provided far more hourly billable work on the cases than were covered by the flat fees. Further,

Mr. and Mrs. Ascencio never disputed in writing any of the services rendered or time billed for on the cases by Mr. Zamora, nor did they request refunds.

32. Respondent is without knowledge or information sufficient to admit or deny the allegations in paragraph 32 of the Specification of Charges.

33. Respondent denies the allegations in paragraph 33 of the Specification of Charges as characterized by Petitioner, and further avers the following with respect to the U-Visa application receipt:

Mr. Zamora incorporates by reference his answer Paragraph 19, above. In addition, Mr. Zamora states that he submitted to USCIS the U-Visa Petition, Certification, and U-Visa Waiver and Fee Waiver for Mr. Ascencio. For reasons unknown to Mr. Zamora, USCIS never issued a U-Visa receipt even though it received the U-Visa petition, as evidenced by Exhibit 4 hereto. The U-Visa Petition, Certification, and U-Visa Waiver and Fee Waiver are required to be submitted together, otherwise USCIS will not accept the paperwork. (Ex. 3, Form I-192). A U-Visa Waiver cannot be filed independent of a U-Visa Petition. For reasons unknown, USCIS only issued to Mr. Zamora a receipt for the U-Visa Waiver.

Mrs. Ascencio acknowledged that she understood that a complete Petition and all other related documents must be submitted together or the submission is invalid. (Ex. 7, email dated February 6, 2017 between Mrs. Ascencio and Mr. Zamora). Mr. Zamora contacted government counsel several months prior to any hearings about Mr. Ascencio's U-Visa case and government counsel never informed Mr. Zamora that no U-Visa case was pending or that USCIS never received Mr. Ascencio's U-Visa Petition. Further, USCIS never informed Mr. Zamora that there was no U-Visa case or Petition pending for Mr. Ascencio. Mr. Zamora contacted USCIS about withdrawing from representation in Mr. Ascencio's U-Visa case and in

its response to Mr. Zamora, the government never informed Mr. Zamora that there was no such case. (Ex. 8, January 17, 2017 letter from Mr. Zamora to USCIS; Ex. 9, USCIS response).

34. Respondent is without knowledge or information sufficient to admit or deny the allegations in paragraph 34 of the Specification of Charges.

35. Respondent is without knowledge or information sufficient to admit or deny the allegations in paragraph 35 of the Specification of Charges.

36. Respondent is without knowledge or information sufficient to admit or deny the allegations in paragraph 36 of the Specification of Charges.

37. Respondent admits the allegations in paragraph 37 of the Specification of Charges, and further avers that he did not save a signed copy of the U-Visa Petition when he submitted the application to USCIS. The only copy of the Petition and related documents in Respondent's possession are attached hereto as Exhibit 3.

38. Subject to the reasons stated hereinabove, Respondent admits the allegations in paragraph 38 of the Specification of Charges.

39. Respondent denies the allegations in paragraph 39 of the Specification of Charges and further avers as follows with respect to the records requested by Disciplinary Counsel:

Mr. Zamora provided a functionally-equivalent accounting to Disciplinary Counsel in the form of: signed retainer agreements; receipts showing he received the two payments from Mrs. Ascencio; a detailed hourly billing statement at the conclusion of attorney's services, which did not reflect all of the work performed by Mr. Zamora, as stated hereinabove. No further monthly invoices were submitted to Mr. or Mrs. Ascencio because the flat fees were paid in full and no additional costs were incurred at that time.

40. Respondent denies the allegations in in paragraph 40 of the Specification of Charges and further avers that he did not violate any District of Columbia Rules of Professional Conduct.

WHEREFORE, the foregoing considered and the Specification of Charges having been answered in full, Respondent Pablo A. Zamora, Esq. requests that the Office of Disciplinary Counsel's Petition Instituting Formal Disciplinary Proceedings and Specification of Charges be dismissed with prejudice, and for such other and further relief the Board deems appropriate.

Date: March 3, 2021

Respectfully submitted,

MARCUSBONSIB, LLC



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JOSEPH A. COMPOFELICE, JR., ESQ.

D.C. Bar No. 979694

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Greenbelt, Maryland 20770

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*Counsel for Respondent, Pablo A. Zamora, Esq.*

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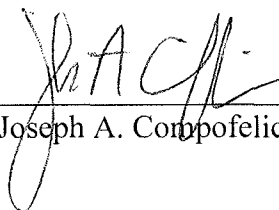


**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 3, 2021, a copy of the foregoing was served on the following by the means indicated below:

Office of the Executive Attorney  
430 E Street, NW  
Suite 138  
Washington, D.C. 20001  
***(Via Hand Delivery)***

Caroll Donayre Somoza, Esq.  
Office of Disciplinary Counsel  
515 Fifth Street, N.W.  
Building A, Suite 117  
Washington, D.C. 20001  
***(Via Email and First-Class Mail)***

  
\_\_\_\_\_  
Joseph A. Compofelice, Jr.

Pablo A. Zamora, Esq.  
1901 First Avenue, Second Floor  
San Diego, CA 92101  
(619) 206-4701

**ATTORNEY-CLIENT FEE AGREEMENT**

Pablo A. Zamora, Esq. ("Attorney") and Teka Stiles ("Client") hereby agree that Attorney will provide legal services to Client on the terms set forth below.

1. **CONDITIONS.** This Agreement will not take effect, and Attorney will have no obligation to provide legal services, until Client returns a signed copy of this Agreement and pays the FLAT FEE called for under Paragraph 4.

2. **SCOPE OF SERVICES.** You are hiring me as your attorney, to represent you in your U-VISA for Husband

matter. I will provide whatever legal services are reasonably required to represent you in this matter. I will take reasonable steps to keep you informed of progress and to respond to your inquiries.

**If current representation relates to a non-court action and a court action is filed, Attorney will NOT represent Client unless we have made further plans through a signed retainer agreement for Attorney to represent client in court, through trial and post-trial motions. If this retainer is for a non-court action, this Agreement does not cover representation FOR ANY COURT HEARINGS, MEDIATIONS, COURT APPEARANCES, or on appeal or in execution proceedings after judgment. Separate arrangements must be agreed to for those services. Services in any matter not described above will require a separate written agreement. This agreement does not cover any appeals for court or non-court related issues. An appeal requires a separate written agreement.**

3. **CLIENT'S DUTIES.** Client agrees to be truthful with Attorney, to cooperate, to keep Attorney informed of any information or developments which may come to Client's attention, to abide by this Agreement, to pay Attorney's bills on time, and to keep Attorney advised of Client's address, telephone number and whereabouts. Client will assist Attorney in providing necessary information and documents and will appear when necessary at legal proceedings.

4. **FIXED/FLAT FEE.** Client agrees to pay Attorney a FIXED FLAT FEE of \$ 2,000.00 for Attorney's services under this Agreement.

The fixed fee is due in total by 06-13-16.

A down payment of \$ 2,000.00 (or more) shall be due and payable with the subscription of this agreement before Attorney incurs any obligation to provide services to Client.

By signing this agreement I hereby WAIVE the requirement that the flat fee, given to Pablo A. Zamora, Esq. for work to be performed on my behalf, is to be held in trust. (Rule 1.15(d) of the D.C. Rules of Professional Conduct)

[Signature] (client initials)

[Signature] (attorney initials)

The FLAT FEE only covers attorney time for the following items:

**IF CASE IS DEFENSE IN REMOVAL PROCEEDINGS:**

Two master calendar hearings (each master calendar hearing is equal to two hours attorney time);  
One ½ day individual hearing (each ½ day individual hearing is equal to 4 hours of attorney time);  
One application/petition for relief (is equal to 4 hours attorney time);  
One legal brief for the related application for relief (is equal to 8 to 10 hours of attorney time);  
Meetings with client set by attorney (each meeting is equal to at least ½ hour of attorney time);  
Motions submitted by attorney (each motion is equal to at least one hour of attorney time)  
Correspondence for case (each correspondence is equal to at least 15 minutes of attorney time); and  
Up to 4 phone calls/emails per month (phone call/email equal to minimum 10 minutes attorney time).

**IF CASE IS USCIS OR CONSULAR BASED:**

Application(s)/petition(s) for immigration benefit (each application/petition equal to 4 hours attorney time);  
Meetings with client set by attorney (each meeting is equal to at least ½ hour of attorney time);  
One legal brief/cover letter related to each application(s)/petition(s) for relief (each legal brief/cover letter is equal to 4 hours of attorney time);  
Correspondence related to case (each correspondence is equal to at least 15 minutes of attorney time);  
Up to 4 phone calls/emails per month (phone call/email equal to minimum 10 minutes attorney time).

Any additional hearings, legal briefs, applications/briefs, phone calls/emails and attorney time for things not covered in the above listings will be billed at an additional \$250.00 per hour. Client hereby agrees to pay this hourly rate should additional hearings, legal briefs, applications for relief, and/or attorney time be required by the court or by client. Attorney has the right to withdraw from representation in the event that client chooses to or cannot pay for the additional attorney time. Client has agreed to this provision and has consented to withdrawal of Attorney in this event or upon breach of agreement by client.

Should Client terminate the attorney-client relationship prior to completion of services, Client will be refunded any unearned portion of the fee. (*Rule 1.16(d) of the D.C. Rules of Professional Conduct*). Should this event occur, the flat fee retainer agreement will convert to an hourly billing retainer agreement. Attorney will bill Client on an hourly basis for all work performed on Client's case at \$250.00 per hour. Any outstanding portion of the flat fee retainer agreement that is remaining will be refunded to client. Should the converted flat fee retainer not cover all of the work performed on Client's case, Client will pay the remainder of that bill to Attorney.

The flat fee charged is based on attorney's experience and time and work anticipated in each case. Should more time and energy be required due to Client's failure to communicate, payment, delivering of documents and information and for other issues that Client uses to stall the completion of the case, then Attorney has the right to convert the flat fee into an hourly billing retainer agreement. Attorney will bill client on an hourly bases for all work performed on client's case at an hourly rate of \$250.00 per hour. Any outstanding portion of the flat fee retainer agreement that is remaining will be refunded to client. Should the converted flat fee retainer not cover all of the work performed on Client's case, Client will pay the remainder of that bill to Attorney.

**Attorney will have earned the following portions of the flat fee retainer agreement on the dates listed below:**

\$ 2,000.00 on the day the retainer agreement is signed by the parties for preparation of the required documents necessary to begin representation and to begin Attorney's services under this Agreement.

\$ \_\_\_\_\_ on the date Attorney submits required paperwork to government/state entities.  
\$ \_\_\_\_\_ on \_\_\_\_\_ as final payment services rendered for Attorney representation and Attorney's services under this Agreement.

If Client does not terminate the attorney-client relationship and Attorney does not withdraw before the completion of the services or otherwise fails to perform services contemplated under this Agreement, the fixed fee will be earned in full and no portion of it will be refunded once any material services have been performed.

5. **COSTS AND OTHER CHARGES.** Attorney may/will incur various costs and expenses in performing legal services under this Agreement. Client agrees to pay for all costs, disbursements and expenses in addition to the flat fee. The costs and expenses incurred commonly include fingerprints charges, passport photos, government fees and other similar items.

It is anticipated that the United States Citizenship and Immigration Services (USCIS)/Immigration Court (IC) or other government agencies shall require the following fees:

**Anticipated Fee Amounts:**

UNKNOWN

No application or submission of documents prepared on the Client's behalf will be made until Client has paid for them in advance. Client agrees to pay any additional costs/fees that may arise, anticipated or unanticipated, during the course of representation.

6. **BILLING STATEMENTS.** Attorney will send Client periodic statements for fees and costs incurred. Each statement will be payable within 20 days of its mailing date. Client may request a statement at intervals of no less than 30 days. If Client so requests, Attorney will provide one within 10 days. The statements shall include the amount, rate, basis of calculation or other method of determination of the fees and costs, which costs will be clearly identified by item and amount.

7. **INTEREST CHARGES.** If a billing statement is not paid when due, interest will be charged on the principal balance (fees, costs, and disbursements) shown on the statement. Interest will be calculated by multiplying the unpaid balance by the periodic rate of .833% per month (TEN PERCENT [10%] ANNUAL PERCENTAGE RATE). The unpaid balance will bear interest until paid.

In the event that you fail to pay the required amount billed for and due within 20 days of the date it has been mailed to you, you agree to pay interest at the rate specified above upon the balance of my bill which remains to be paid for each month or portion thereof that said balance remains unpaid. Interest shall continue to accrue on the balance of my bill even if I exercise my right set forth in paragraph 9, to be relieved from representing you.

[Interest may not be compounded without compliance with the California Civil Code, Appendix I, dealing with usury.]

8. **LIEN.** Client hereby grants Attorney a lien on any and all claims or causes of action that are the subject of the representation under this Agreement. The lien will be for any sums owing the Attorney at the conclusion

of services performed. The lien will attach to any recovery Client may obtain, whether by arbitration award, judgment, settlement or otherwise. The effect of such a lien is that Attorney may be able to compel payment of fees and costs from any such funds recovered on behalf of Client's property rights, Client may seek the advice of an independent lawyer of Client's choice before agreeing to such a lien. By initialing this paragraph, Client represents and agrees that Client has had a reasonable opportunity to consult such an independent lawyer and - whether or not Client has chosen to consult such an independent lawyer - Client agrees that Attorney will have a lien as specified above.

                     (Client Initials Here)                      PAZ (Attorney Initials Here)

9. DISCHARGE AND WITHDRAWAL.                      Client may discharge Attorney at any time.

9.1. *Discharge and Withdrawal for Good Cause:* Attorney may withdraw with Client's consent or for good cause. Good cause includes Client's breach of this Agreement, refusal to cooperate or to follow Attorney's advice on a material matter or any fact or circumstance that would render Attorney's continuing representation unlawful or unethical. When Attorney's services conclude, all unpaid charges will immediately become due and payable. Client consents to the withdrawal of Attorney upon Client's breach of this Agreement. In which case, upon Attorney request, Client agrees that he/shc/they/it will execute a Motion to Withdraw as Counsel, or any other required paperwork, which shall relieve Attorney from representing Client in this matter. If Client refuses to execute a Motion to Withdraw as Counsel or other required paperwork for Attorney to be relieved as attorney of record, Attorney may then submit the previously signed Consent to Withdrawal of Attorney and apply to the Court or other government agency to be relieved from representing Client.

**Client agrees to timely return phone calls and respond to emails (based on the agreed form of communication). Client agrees to inform attorney of an address and/or phone call change within 48 hours. Client agrees, but for emergencies, to advise of the need to reschedule appointments no less than 24 hours before the appointment. Client agrees to timely provide requested documents to avoid the need to seek repeated delays in a pending case. Failure to cooperate with the attorney, at the sole discretion of the attorney, will result in termination of this agreement, and if there is a pending court proceeding, a motion to withdraw.**

9.2. *Withdrawal for Non-payment or No Agreement on Fees:* Client agrees to allow Attorney to withdraw in the event that Client fails to pay Attorney within 15 days of billing sent to Client for all the legal fees, costs and charges due payable that billing cycle, described and pursuant to paragraphs 5, 6, and 7. In which case, upon Attorney request, Client agrees that he/she/they/it will execute a Motion to Withdraw as Counsel, or any other required paperwork, which shall relieve me from representing you in this matter. Client further agrees that in the event that Client fails to pay required billed for services due within 15 days of submission to Client for all the legal fees, costs and charges due, described and pursuant to paragraphs 5, 6, and 7, and Client refuses to execute a Motion to Withdraw as Counsel or other required paperwork for Attorney to be relieved as attorney of record, Attorney may then submit the previously signed Consent to Withdrawal of Attorney and apply to the Court or other government agency to be relieved from representing Client.

9.3. *Payment of Fees from Security Deposit/Any amounts held in Trust or Business Accounts:* When Attorney's services conclude either due to discharge or withdrawal, Client agrees that all unpaid charges shall immediately become due and payable and that Attorney may withdraw from the security deposit, down payment or any other payments made towards case, held in trust, or any other accounts, an amount equal to the amount which you then owe to me pursuant to paragraphs 5, 6, and 7, of this Agreement

including interest and including charges for the time expended in obtaining the court order to be relieved from representing you.

9.4. *Return of Property:* After Attorney's services conclude, Attorney shall, upon request of Client, deliver Client's file to Client, along with any remaining security deposits, down payments, remaining retainer monies, funds, or property belonging to Client which remains in Attorney's possession. It is our policy to only retain files for 30 days after services conclude. After that time only an electronic copy is kept. It is Client's responsibility to ask for the return of any original documents or documents in Attorney's possession that Client wants returned.

Notwithstanding Attorney's withdrawal or Client's notice of discharge, and without regard to the reasons for the withdrawal or discharge, Client will remain obligated to pay Attorney for all costs incurred prior to the termination and, in the event that there is any net recovery obtained by Client after conclusion of Attorney's services, Client remains obligated to pay Attorney for the reasonable value of all services rendered from the effective date of this Agreement to the date of discharge.

Upon discharge or withdrawal, attorney will do an accounting of all work performed in the case based on an hourly rate of \$250.00 per hour. Should the total of all work performed in the case be less than the current balance of the flat fee paid to date, attorney will refund remaining unearned flat fee amount minus costs and expenses owed to attorney.

10. **CONCLUSION OF SERVICES.** When Attorney's services conclude, all unpaid charges will immediately become due and payable. Attorney is authorized to use any funds held in Attorney's trust account as a deposit against costs to apply to such unpaid charges. After Attorney's services conclude, upon request, Client's file and property will be delivered to Client, or Client's other attorney, whether or not Client has paid any fees and/or costs owed to Attorney.

11. **REASONABLE ATTORNEY'S FEES AND COSTS:** Client agrees that in the event that Attorney is required to institute a proceeding to collect Attorney's fees and the costs that Attorney has expended on behalf of Client or have become obligated to pay on Client's behalf that Client shall pay in addition to any amounts found to be owing such additional sums as the tribunal shall deem reasonable for attorney's fees and court costs.

12. **DISCLAIMER OF GUARANTEE AND ESTIMATES.** Nothing in this Agreement and nothing in Attorney's statements to client will be construed as a promise or guarantee about the outcome of the matter. Attorney makes no such promises or guarantees. Attorney's comments about the outcome of the matter are expressions of opinion only. Any estimate of fees given by Attorney shall not be a guarantee. Actual fees may vary from estimates given.

13. **ENTIRE AGREEMENT.** This Agreement contains the entire agreement of the parties. No other Agreement, statement, or promise made on or before the effective date of this Agreement will be binding on the parties.

14. **SEVERABILITY IN EVENT OF PARTIAL INVALIDITY.** If any provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

15. **MODIFICATION BY SUBSEQUENT AGREEMENT.** This Agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them, or any oral agreement only to the extent that the parties carry it out.

16. EFFECTIVE DATE. This Agreement will govern all legal services performed by Attorney on behalf of Client commencing with the date Attorney first performed services. The date at the beginning of this Agreement is for reference only. Even if this Agreement does not take effect, Client will be obligated to pay Attorney the reasonable value of any services Attorney may have performed for Client.

17. ARBITRATION

A. ARBITRATION OF ALL DISPUTES INCLUDING CLAIMS OF MALPRACTICE

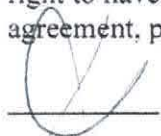
Any controversy between the parties regarding their construction, application or performance of any services under this Agreement, and any claim arising out of or relating to this Agreement or its breach, shall be submitted to binding arbitration upon the written request of one party after the service of that request on the other party. The parties shall appoint one person or agree upon a 3-person panel to hear and determine the dispute. If the parties cannot agree, then the Superior Court of California, San Diego County shall choose an impartial arbitrator whose decision shall be final and conclusive on all parties. Attorney and Client shall each have the right of discovery in connection with any arbitration proceeding in accordance with California Code of Civil Procedure Section 1283.05. The parties shall bear their own legal fees and costs for claims. The sole and exclusive venue for the arbitration and or any legal dispute, shall be San Diego County, California.


B. STATE BAR FEE ARBITRATION

Notwithstanding subparagraph A above, in any dispute subject to the jurisdiction of the State of California over attorney's fees, charges, costs or expenses, Client has the right to elect arbitration pursuant to the fee arbitration procedures of the State Bar of California, as set forth in California Business and Professions Code Section 6200, *et seq.* Those procedures permit a trial after arbitration, unless the parties agree in writing, after the dispute has arisen, to be bound by the arbitration award. If, after receiving a notice of client's right to arbitrate, Client does not elect to proceed under the State Bar fee arbitration procedures, and file a request for fee arbitration within 30 days, any dispute over fees, charges, costs or expenses, will be resolved by binding arbitration as provided in the previous subparagraph A.

Because each party is giving up a right, Client is encouraged to have an independent lawyer of Client's choice to review these arbitration provisions before agreeing to them.

By initialing below, Client and Attorney confirm they have read and understand subparagraph A and B above, and voluntarily agree to binding arbitration. In doing so, Client and Attorney voluntarily give up important constitutional rights to trial by judge or jury, as well as rights to appeal. Client is advised that Client has the right to have an independent lawyer of Client's choice review these arbitration provisions, and this entire agreement, prior to initializing this provision or signing this Agreement.

 (Client initial Here)

 (Attorney initial here)

18. ATTORNEY-CLIENT CONFIDENTIALITY: The information relating to client's case is protected under attorney-client confidentiality. An exception to attorney-client confidentiality is a dispute between attorney and client.

**THE PARTIES HAVE READ AND UNDERSTOOD THE FOREGOING TERMS AND AGREE TO THEM AS OF THE DATE ATTORNEY FIRST PROVIDED SERVICES. IF MORE THAN ONE CLIENT SIGNS BELOW, EACH AGREES TO BE LIABLE, JOINTLY AND SEVERALLY, FOR ALL OBLIGATIONS UNDER THIS AGREEMENT. CLIENT SHALL RECEIVE A FULLY EXECUTED DUPLICATE OF THIS AGREEMENT.**

I/We have read and understood the foregoing terms and agree to them, as of the date that Pablo A. Zamora, Esq., first provides services. If more than one party signs below, we each agree to be liable, jointly and severally, for all obligations under this agreement.

Dated: 06/13/2014 *[Signature]*  
Client

4420 La Crosse Ave SD CA 92117  
Address City, State, Zip

858 752 8047  
Telephone #:

*tkastilzo@sbcglobal.net*  
E-mail address:

Dated: 06.13.14 *[Signature]*  
PABLO A. ZAMORA, ESQ.

\*Pablo Zamora is licensed in Washington D.C. and practices Federal Immigration Law throughout the U.S.\*  
\*Malpractice Insurance not provided for/under this agreement\*



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**Subject:** Itemized hourly billing statements for each case

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:03 am

**To:** "tekastiles@sbcglobal.net" <tekastiles@sbcglobal.net>

**Attach:** Hourly Billing Statement - U Visa - Ascencio Torres.xlsx

Hourly Billing Statement - Removal Case - Ascencio Torres.xlsx

Teka,

Attached are the billing statements for each case that you requested. As you can see I have spent more time on the case than has been paid. These statements also do not include the time spent on speaking on the phone to you, DHS, the court, and ICE officers. These statements also do not include the time spent reading your text messages and responding to your text messages. These statements also do not include time spent meeting with you each month at my office. These statements also do not reflect money paid for postage and copies. I did not include them in the statements because the hourly billing amount for each case was already over the flat fee amount paid. You have the right to dispute the items on the statements. If you choose to, please do it in writing.

I am also sending you several emails with electronic copies of portions of the case file. I am sending it electronically to save you money on having to pay for copy per page charges.

**Pablo A. Zamora, Esq.**

**Immigration and Naturalization Law**

1901 First Avenue, 2nd Floor

San Diego, CA 92101

phone: (619) 206-4701

email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)

website: [www.tipthescalesforme.com](http://www.tipthescalesforme.com)

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Answer to Specification  
of Charges Exhibit

2

Disciplinary Dkt #2017-D142

exhibit@tk.com

			PABLO A. ZAMORA, ESQ.	
			1901 First Avenue, 2nd Floor	
			San Diego, CA 92101	
			INVOICE	
Case:	Jose Diego Ascencio Torres		U Visa	
<u>Date</u>	<u>Item</u>			<u>Hours</u>
6/15/16	Travel to Police Department to obtain Police Report			1
6/17/16	Draft, review, finalize SD Police Dept. U Visa Letter			0.5
6/17/16	Travel to Police Department to submit U Visa Certification Request			1
6/17/16	Draft, review, finalize U Visa Certification and Application			1.5
6/20/16	Prepare Stay of Removal Paperwork and Evidence			1
6/20/16	Prepare Stay of Removal Legal Brief			1
6/21/16	Translate Jose's Mexican Birth Certificate to English			0.5
6/21/16	Translation Certification			0.1
6/24/16	Phone conversations with ICE RE: Stay of Removal			0.5
7/7/16	Travel to Police Department to obtain Police Report			1
7/7/16	Draft, review, finalize I-912 Fee Waiver Request			0.5
7/7/16	Draft, review, finalize U Visa Waiver Request			1
7/8/16	Review Jose's criminal records			0.4
7/8/16	Draft, review, finalize Jose's U Visa Statement			0.6
7/13/16	Draft, review, finalize Jose's USCIS U Visa & Waiver Cover Letter			0.5
7/13/16	Submission of U Visa paperwork to USCIS, copy, scan, deliver to post office			0.6
8/2/16	Review USCIS Receipt for U Visa/Waiver			0.1
1/18/17	Prepare, review, finalize letter to USCIS withdrawing from U Visa representation			0.5
			Total Hours	12.3 hours
			x \$250.00 per hour	\$3,075.00



			PABLO A. ZAMORA, ESQ.	
			1901 First Avenue, 2nd Floor	
			San Diego, CA 92101	
			INVOICE	
Case:	Jose Diego Ascencio Torres		Removal Proceedings	
Date	Item			Hours
7/14/16	Draft, review, finalize, scan and submit CBP FOIA Request			0.7
9/7/16	Draft, review, finalize, submit to DHS Bond Release paperwork			1.5
9/13/16	Draft, review, finalize Motion to Continue			1
9/13/16	Draft, review, finalize EOIR-28 form			0.2
9/16/16	Deliver to Court and DHS Motion to Continue/EOIR-28			0.5
9/28/16	Review DHS/CBP documents received in Jose's case			0.5
10/11/16	Review IJ Order RE: Motion to Continue			0.1
10/11/16	Review Notice of Hearing			0.1
11/1/16	Prepare and submit to DHS request to expedite U Visa			0.5
11/20/16	Review Jose's Asylum Application			0.3
12/1/16	Prepare, review, finalize 2nd Motion to Continue			0.5
12/1/16	Prepare, review, finalize Motion to Continue Bond Hearing			0.5
12/2/16	Deliver to Court and DHS 2nd Motion to Continue			0.5
12/1/16	Prepare, review, finalize revised U Visa and fear statements			1
12/16/16	Deliver to Court and mail to DHS Motion to Continue Bond			0.5
12/16/16	Review Notice of Hearing - 2nd			0.1
12/20/16	Prepare, review, finalize Bond Proceedings Legal Brief/Evidence			1.5
12/28/16	Draft, Review, Finalize, and submit to DHS and EOIR Motion to Withdraw			1.5
1/5/17	Review IJ Order RE: Bond Hearing Continuance			0.1
	Review of emails from Teka from 06/16/2016 - 01/19/2017			
	20 emails x 0.1 per email			2.8

Compose and send responses to emails to Teka from						
06/19/2016 - 01/19/2017						<u>1.4</u>
				Total hours		15.8
15.8 hours x \$250.00 per hour						\$3,950.00
Flat fee amount paid						(\$3,800.00)
Amount owed to attorney						\$150.00

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**Subject: Case Documents**

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:05 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** ice\_form\_i\_246 (1) - stay of removal.pdf

Ascencio I-264 Brief d5.docx

Torres Birth Certificate Translation.docx

Police U-Visa Certification Letter FINAL Rev.docx

Ascencio Torres USCIS letter for U Visa and Waiver.docx

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

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email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)

website: [www.tipthescalesforme.com](http://www.tipthescalesforme.com)

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**Subject:** Case documents - 2

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:06 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** Ascencio Torres I-192 App submission.pdf

I-918 Ascencio Torres App submission.pdf

Ascencio Torres U Visa attachment 1.pdf

Ascencio Torres U Visa attachment 2.pdf

I-912 Ascencio Torres Fee Waiver submission.pdf

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**Subject:** Case documents - 3  
**From:** zamora@tipthescalesforme.com  
**Date:** Fri, Jan 20, 2017 10:09 am  
**To:** "teka stiles" <tekastiles@sbcglobal.net>  
**Attach:** CBP FOIA - Jose Diego Ascencio Torres - submission.pdf  
Ascencio Torres I-192 Receipt.pdf  
Ascencio Torres - ICE Parole-Bond Request.docx  
ICE Bond Submission - Ascencio Torres.pdf  
DHS documents - Ascencio Torres.pdf

**Pablo A. Zamora, Esq.**  
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**Subject:** Case documents - 4

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:10 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** EOIR-28 - Ascencio Torres - stamped.pdf

Mtn to Cont - Ascencio Torres - stamped.pdf

IJ Order - Continuance.pdf

NoH - Oct 2016 - Ascencio Torres.pdf

Ascencio Torres DHS request to expedite U Visa processing.pdf

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

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website: [www.tipthescalesforme.com](http://www.tipthescalesforme.com)

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**Subject:** Case documents - 5  
**From:** zamora@tipthescalesforme.com  
**Date:** Fri, Jan 20, 2017 10:11 am  
**To:** "teka stiles" <tekastiles@sbcglobal.net>  
**Attach:** NoH - Bond.pdf  
Mtn Cont Bond Hearing - stamped.pdf  
Mtn to Cont Hearing - stamped.pdf  
NoH Jan 2017.pdf  
Motion to Withdraw - submission.pdf

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

1901 First Avenue, 2nd Floor

San Diego, CA 92101

phone: (619) 206-4701

email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)

website: [www.tipthescalesforme.com](http://www.tipthescalesforme.com)

\*Licensed in the District of Columbia. Practicing Federal Immigration Law in the State of California.\*

I return phone calls and emails during regular business hours Monday through Friday from 9 a.m. to 5 p.m. Pacific time. Any returned calls or emails outside of regular business hours is a courtesy and not a right or guarantee of continued responses during non-business hours.

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**Subject:** Case Documents - 6

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:12 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** Mtn Cont Bond - Notice.pdf

Order signed - Mtn Cont Bond Hearing.pdf

Bond Proceedings Evidence.pdf

Bond Proceedings Evidence - 2.pdf

Ascencio Torres - Decl of Ascencio Torres - Withhold and CAT d4.docx

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

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**Subject:** Re: Case Documents - 6

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Fri, Jan 20, 2017 11:09 am

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

I'm not disputing the fact that you worked hard on hid case Pablo it was apparent to me when I retrieved his file from your office I believe you let your feelings get in the way I was simply relaying to you all the things my husband asked me to I was the one stuck in the middle if you will.

Thanks for your hard work.

1more thing for the uvisa future communication will I need to get a change of address for that? Or will it automatically go to our home? I'm assuming the contract for that is now not a flat rate start to finish

Sent from Yahoo Mail on Android

On Fri, Jan 20, 2017 at 10:12 AM, zamora@tipthescalesforme.com <zamora@tipthescalesforme.com> wrote:

**Pablo A. Zamora, Esq.  
Immigration and Naturalization Law**

1901 First Avenue, 2nd Floor

San Diego, CA 92101

phone: (619) 206-4701

email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)

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San Diego, California 92101

Phone: (619) 206-4701

Email: zamora@tipthescalesforme.com

Website: www.tipthescalesforme.com

---

February 25, 2021

*Via Hand Delivery*

Chief's Office  
San Diego Police Department, Headquarters  
1401 Broadway  
San Diego, CA 92101  
(619) 531-2777

Re: *Certification of Supplement B for Form I-918, Petition for U Nonimmigrant Status*

Dear Chief Zimmerman:

This office has been retained by Jose Diego Ascencio Torres to represent him in immigration matters and Mr. Ascencio is applying for a "U" Visa with the United States Citizen and Immigration Services. As part of that application, certification by the San Diego Police Department that Mr. Ascencio was the victim of qualifying criminal activity and has been helpful in the investigation of said crime is required. This is a formal request for appropriate personnel of the San Diego Police Department to complete form *Supplement B* and make the completed form available to my office. As my client is in removal proceedings, time is of the essence, and I request that the *Supplement B* be completed as quickly as possible and my office notified by phone at **(619) 206-4701** so that a representative of my office can appear in person at 1401 Broadway and retrieve the completed certification.

The crime referenced is described in Case No. 06036662 wherein Mr. Ascencio was a victim of a qualifying crime pursuant to California Penal Code Section 679.10 and Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act. Mr. Ascencio was helpful to this Department's investigation and cooperated as a witness.

Existing federal law provides a Form I-918, Petition for U Nonimmigrant Status (Form I-918) to request temporary immigration benefits for a person who is a victim of certain qualifying criminal activity. Existing federal law also provides a form for certifying that a person submitting a Form I-918 is a victim of certain qualifying criminal activity and is, has been, or is likely to be helpful in the investigation or prosecution of that criminal activity (Form I-918 Supplement B).

---

Pablo Zamora, Esq.  
Immigration Law  
\*Licensed in Washington, D.C.\*

Answer to Specification  
of Charges Exhibit

3

Disciplinary Dkt #2017-D142

exhibitclear.com

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California Penal Code section 679.10 requires, upon request, that a certifying official from a certifying entity certify, as specified, “victim helpfulness” on the Form I-918 Supplement B, when the requester was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity. Section 679.10 defines “certifying entity,” “certifying official,” and the qualifying criminal activity for those purposes. A “certifying entity” includes, among others, local law enforcement agencies. Section 679.10 establishes, for purposes of determining helpfulness, a rebuttable presumption that a victim is helpful, has been helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity, if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement. Section 679.10 requires this San Diego Police Department to process a Form I-918 Supplement B certification within 14 days of request because Mr. Ascencio is a non-citizen in removal proceedings.

Thank you for your compliance with this request, and should any further information be necessary, please feel free to contact my office at your convenience.

Sincerely,

---

Pablo A. Zamora, Esq.

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

# Form I-918, Petition for U Nonimmigrant Status

**START HERE - Please type or print in black ink.**

**Part 1. Information about you.** *(Person filing this petition as a victim)*

Family Name: Ascencio Torres  
Given Name: Jose  
Middle Name: Diego

Other Names Use (Include maiden name/nickname):

Home Address - Street Number and Name: 4420 LaCrosse Ave  
Apt. No.:

City: San Diego  
State/Province: CA  
Zip/Postal Code: 92117

Safe Mailing Address (if other than above) - Street Number and Name:  
Apt. No.:

C/O (in care of):

City:  
State/Province:  
Zip/Postal Code:

Home Telephone No. (with area code): (858) 752-3587  
Safe Daytime Phone No. (with area code):  
E-Mail Address (optional): jda658@gmail.com

A-No. (if any):  
U.S. Social Security No. (if any):  
Gender:  Male  Female

Marital Status:  
 Single  Married  Divorced  Widowed

Date of Birth (mm/dd/yyyy): 03/22/1987  
Country of Birth: Mexico

Country of Citizenship: Mexico  
Passport No.:

Place of Issuance:  
Date of Issue (mm/dd/yyyy):

Place of Last Entry: Otay  
Date of Last Entry (mm/dd/yyyy): 03/15/2007

I-94 No. (Arrival/Departure Document):  
Current Immigration Status: undocumented

For USCIS Use Only	
Returned	Receipt
Date	
Date	
<b>Resubmitted</b>	
Date	
Date	
<b>Reloc Sent</b>	
Date	
Date	
<b>Reloc Rec'd</b>	
Date	
Date	
<b>U.S. Embassy/Consulate:</b>	
<b>Validity Dates</b>	
From: _____	
To: _____	
<b>Remarks</b>	
<b>Conditional Approval</b>	
Stamp No.: _____ Date: _____	
<b>Action Block</b>	
<b>To Be Completed by Attorney or Representative, if any.</b>	
<input type="checkbox"/> Fill in box if G-28 is attached to represent the applicant.	
ATTY State License Number	

**Part 2. Additional information.**

Answers to the questions below require explanations and supporting documentation. Attach relevant documents in support of your claims that you are a victim of criminal activity listed in the Immigration and Nationality Act (INA), section 101(a)(15)(U). You must also attach a personal narrative statement describing the criminal activity of which you were the victim. If you are only petitioning for U derivative status for a qualifying family member(s) subsequent to your (the principal petitioner) initial filing, evidence supporting the original petition is not required to be submitted with the new Form I-918.

Attach additional sheets of paper as needed. Write your name and Alien Registration Number (A #), if any, at the top of each sheet and indicate the number of the item that refers to your answer. Include the Part and letter or number relating to the additional information you provided (example: Part 2, Z).

Check either "Yes" or "No" as appropriate to each of the following questions.

- 1. I am a victim of criminal activity listed in the INA at section 101(a)(15)(U).  Yes  No

---

- 2. I have suffered substantial physical or mental abuse as a result of having been a victim of this criminal activity.  Yes  No

---

- 3. I possess information concerning the criminal activity of which I was a victim.  Yes  No

---

- 4. I am submitting a certification from a certifying official on Form I-918 Supplement B, U Nonimmigrant Status Certification.  Yes  No

---

- 5. The crime of which I am a victim occurred in the United States including Indian country and military installations) or violated the laws of the United States.  Yes  No

---

- 6. I am under the age of 16 years.  Yes  No

---

- 7. I want an Employment Authorization Document.  Yes  No

---

- 8. Have you ever been in immigration proceedings?  Yes  No

If "Yes," what type of proceedings? (Check all that apply.)

- Removal Date (mm/dd/yyyy)  Exclusion Date (mm/dd/yyyy)  Deportation Date (mm/dd/yyyy)  Recission Date (mm/dd/yyyy)  Judicial Date (mm/dd/yyyy)
- 

9. List each date, place of entry and status under which you entered the United States during the five years preceding the filing of this petition.

Date of Entry (mm/dd/yyyy)	Place of Entry	Status at Entry
01/01/1993	San Ysidro	
05/20/2002		
03/15/2007	Otay	



**Part 2. Additional information.** (Continued.)

10. If you are outside the United States, give the U.S. Consulate or inspection facility you want notified if this petition is approved.

Type of Office (Check one):  Consulate  Pre-flight inspection  Port of Entry

Office Address (City)

U.S. State or Foreign Country

--	--

Safe Foreign Address Where You Want Notification Sent - Street Number and Name

Apt. No.

--	--

City

State/Province

Country

Zip/Postal Code

--	--	--	--

**Part 3. Processing information.**

Please answer the following questions about yourself. For the purposes of this petition, you must answer "Yes" to the following questions, if applicable, even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer or attorney, told you that you no longer have a record. (Answering "Yes" does not necessarily mean that you will be denied U nonimmigrant status.)

1. Have you EVER:

- a. Committed a crime or offense for which you have not been arrested?  Yes  No
- b. Been arrested, cited or detained by any law enforcement officer (including DHS, former INS and military officers) for any reason?  Yes  No
- c. Been charged with committing any crime or offense?  Yes  No
- d. Been convicted of a crime or offense (even if violation was subsequently expunged or pardoned)?  Yes  No
- e. Been placed in an alternative sentencing or a rehabilitative program (for example: diversion, deferred prosecution, withheld adjudication, deferred adjudication)?  Yes  No
- f. Received a suspended sentence, been placed on probation or been paroled?  Yes  No
- g. Been in jail or prison?  Yes  No
- h. Been the beneficiary of a pardon, amnesty, rehabilitation, or other act of clemency or similar action?  Yes  No
- i. Exercised diplomatic immunity to avoid prosecution for a criminal offense in the United States?  Yes  No

If you answered "Yes" to any of the above questions, complete the following table. If you need more space, use a separate sheet of paper to give the same information.

Why were you arrested, cited, detained or charged?	Date of arrest, citation, detention, charge. (mm/dd/yyyy)	Where were you arrested, cited, detained or charged? (City, State, Country)	Outcome or disposition. (e.g., no charges filed, charges dismissed, jail, probation, etc.)
Possession with intent	12/08/2006	arrested	jail
theft	05/25/2016	arrested	jail

**Part 3. Processing information.** (Continued.)

2. Have you ever received public assistance in the United States from any source, including the U.S. government or any State, county, city or other municipality (other than emergency medical treatment), or are you likely to receive public assistance in the future?  Yes  No
- 
3. Have you:
- a. Engaged in prostitution or procurement of prostitution or do you intend to engage in prostitution or procurement of prostitution?  Yes  No
  - b. Ever engaged in any unlawful commercialized vice, including, but not limited to illegal gambling?  Yes  No
  - c. Ever knowingly encouraged, induced, assisted, abetted or aided any alien to try to enter the United States illegally?  Yes  No
  - d. Ever illicitly trafficked in any controlled substance, or knowingly assisted, abetted or colluded in the illicit trafficking of any controlled substance?  Yes  No
- 
4. Have you ever committed, planned or prepared, participated in, threatened to, attempted to, or conspired to commit, gathered information for, solicited funds for any of the following:
- a. Hijacking or sabotage of any conveyance (including an aircraft, vessel, or vehicle)?  Yes  No
  - b. Seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained?  Yes  No
  - c. Assassination?  Yes  No
  - d. The use of any firearm with intent to endanger, directly or indirectly, the safety of one or more individual or to cause substantial damage to property?  Yes  No
  - e. The use of any biological agent, chemical agent, or nuclear weapon or device, or explosive, or other weapon or dangerous device, with intent to endanger, directly or indirectly, the safety of one or more individuals or to cause substantial damage to property?  Yes  No
- 
5. Have you ever been a member of, solicited money or members for, provided support for, attended military training (as defined in section 2339D(c)(1) of title 18, United States Code) by or on behalf of, or been associated with an organization that is:
- a. Designated as a terrorist organization under section 219 of the Immigration and Nationality Act?  Yes  No
  - b. Any other group of two or more individuals, whether organized or not, which has engaged in or has a subgroup which has engaged in:  Yes  No
  - c. Hijacking or sabotage of any conveyance (including an aircraft, vessel, or vehicle)?  Yes  No
  - d. Seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained?  Yes  No
  - e. Assassination?  Yes  No
  - f. The use of any firearm with intent to endanger, directly or indirectly, the safety of one or more individual or to cause substantial damage to property?  Yes  No

---

---

**Part 3. Processing information.** (Continued.)

- g.** The use of any biological agent, chemical agent, or nuclear weapon or device, or explosive, or other weapon or dangerous device, with intent to endanger, directly or indirectly, the safety of one or more individuals or to cause substantial damage to property?  Yes  No
- h.** Soliciting money or members or otherwise providing material support to a terrorist organization?  Yes  No
- 
- 6.** Do you intend to engage in the United States in:
- a.** Espionage?  Yes  No
- b.** Any unlawful activity, or any activity the purpose of which is in opposition to, or the control or overthrow of the government of the United States?  Yes  No
- c.** Solely, principally, or incidentally in any activity related to espionage or sabotage or to violate any law involving the export of goods, technology, or sensitive information?  Yes  No
- 
- 7.** Have you ever been or do you continue to be a member of the Communist or other totalitarian party, except when membership was involuntary?  Yes  No
- 
- 8.** Have you, during the period of March 23, 1933 to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, ever ordered, incited, assisted or otherwise participated in the persecution of any person because of race, religion, nationality, membership in a particular social group or political opinion?  Yes  No
- 
- 9.** Have you EVER ordered, committed, assisted, helped with, or otherwise participated in any act that involved:
- a.** Torture or genocide?  Yes  No
- b.** Killing, beating, or injuring any person?  Yes  No
- c.** Displacing or moving any persons from their residence by force, threat of force, compulsion, or duress?  Yes  No
- d.** Engaging in any kind of sexual contact or relations with any person who was being subjected to force, threat of force, compulsion, or duress?  Yes  No
- e.** Limiting or denying any person's ability to exercise religious beliefs?  Yes  No
- f.** The persecution of any person because of race, religion, national origin, membership in a particular social group, or political opinion?  Yes  No
- If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.
- 
- 10.** Have you EVER advocated that another person commit any of the acts described in the preceding question, urged, or encouraged another person, to commit such acts? (If you answer "Yes," describe the circumstances on a separate sheet(s) of paper.)  Yes  No

**Part 3. Processing information.** (Continued.)

11. Have you EVER been present or nearby when any person was:

- a. Intentionally killed, tortured, beaten, or injured?  Yes  No
- b. Displaced or moved from his or her residence by force, compulsion or duress?  Yes  No
- c. In any way compelled or forced to engage in any kind of sexual contact or relations?  Yes  No

If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.

12. Have you (or has any member of your family) EVER served in, been a member of, or been involved in any way with:

- a. Any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerrilla group, or insurgent organization?  Yes  No
- b. Any prison, jail, prison camp, detention camp, labor camp, or any other situation that involved guarding prisoners?  Yes  No
- c. Any group, unit, or organization of any kind in which you or other persons possessed, transported, or used any type of weapon?  Yes  No

If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.

13. Have you EVER received any type of military, paramilitary or weapons training? (If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.)  Yes  No

14. a. Are removal, exclusion, rescission or deportation proceedings pending against you?  Yes  No
- b. Have removal, exclusion, rescission or deportation proceedings EVER been initiated against you?  Yes  No
- c. Have you EVER been removed, excluded or deported from the United States?  Yes  No
- d. Have you EVER been ordered to be removed, excluded or deported from the United States?  Yes  No
- e. Have you EVER been denied a visa or denied admission to the United States? (If a visa was denied, explain why on a separate sheet of paper.)  Yes  No
- f. Have you EVER been granted voluntary departure by an immigration officer or an immigration judge and failed to depart within the allotted time?  Yes  No

15. Are you under a final order or civil penalty for violating section 274C (producing and/or using false documentation to unlawfully satisfy a requirement of the Immigration and Nationality Act)?  Yes  No

16. Have you ever, by fraud or willful misrepresentation of a material fact, sought to procure, or procured, a visa or other documentation, for entry into the United States or any immigration benefit?  Yes  No

17. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces?  Yes  No

**Part 3. Processing information.** (Continued.)

18. Have you ever been a J nonimmigrant exchange visitor who was subject to the two-year foreign residence requirement and not yet complied with that requirement or obtained a waiver of such?  Yes  No
19. Have you ever detained, retained, or withheld the custody of a child, having a lawful claim to United States citizenship, outside the United States from a United States citizen granted custody?  Yes  No
20. Do you plan to practice polygamy in the United States?  Yes  No
21. Have you entered the United States as a stowaway?  Yes  No
22. a. Do you have a communicable disease of public health significance?  Yes  No
- b. Do you have or have you had a physical or mental disorder and behavior (or a history of behavior that is likely to recur) associated with the disorder which has posed or may pose a threat to the property, safety, or welfare of yourself or others?  Yes  No
- c. Are you now or have you been a drug abuser or drug addict?  Yes  No

**Part 4. Information about spouse and/or children.**

1.  Spouse

Family Name	Given Name	Middle Name	
Stiles	Teka	Annette	
Date of Birth (mm/dd/yyyy)	Country of Birth	Relationship	Current Location
07/03/1981	USA	Wife	San Diego, CA

2.  Children

Family Name	Given Name	Middle Name	
Ascencio	Dante	Adrian	
Date of Birth (mm/dd/yyyy)	Country of Birth	Relationship	Current Location
06/17/2002	USA	Son	San Diego, CA

Family Name	Given Name	Middle Name	
Date of Birth (mm/dd/yyyy)	Country of Birth	Relationship	Current Location

(If more space is needed, attach additional sheet(s) of paper.)

**Part 5. Filing on behalf of family members.**

I am now petitioning for one or more qualifying family member(s). (If "Yes," complete and include Form I-918, Supplement A and Supplement B, for each family member for whom you are petitioning.)

Yes

No

**Part 6. Attestation, release and signature.** (Read information on penalties in the instructions before completing this part.)

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this petition is all true and correct. I certify also that I have not withheld any information that would affect the outcome of this petition.

**Signature**

→

**Date** (mm/dd/yyyy)

**NOTE:** If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the benefit sought and this petition will be denied.

**Part 7. Signature of person preparing form, if other than above.** (Sign below.)

I declare that I prepared this petition at the request of the above person, and it is based on all information of which I have knowledge. I have not knowingly withheld any material information that would affect the outcome of this petition.

**Attorney or Representative:** In the event of a Request for Evidence, may USCIS contact you by Fax or E-Mail?  Yes  No

**Preparer's Signature**

**Date** (mm/dd/yyyy)

**Preparer's Printed Name**

Pablo A. Zamora

**Preparer's Firm Name** (if applicable)

Scales of Justice

**Preparer's Address**

1901 First Avenue, 2nd Floor, San Diego, California 92101

**Daytime Phone Number** (with area code)

( 619 ) 206-4701

**Fax Number** (if any)

( )

**E-Mail Address** (if any)

zamora@tipthescalesforme.com

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

# Form I-918 Supplement B, U Nonimmigrant Status Certification

**START HERE - Please type or print in black ink.**

### Part 1. Victim Information

Family Name: Ascencio Torres  
Given Name: Jose  
Middle Name: Diego

Other Names Used (Include maiden name/nickname)  
\_\_\_\_\_

Date of Birth (mm/dd/yyyy): 03/22/1987  
Gender:  Male  Female

### Part 2. Agency Information

Name of Certifying Agency: San Diego Police Department

Name of Certifying Official: Shelley Zimmerman  
Title and Division/Office of Certifying Official: Chief of Police

Name of Head of Certifying Agency: Shelley Zimmerman

Agency Address - Street Number and Name: 1401 Broadway  
Suite No.: \_\_\_\_\_

City: San Diego  
State/Province: CA  
Zip/Postal Code: 92101

Daytime Phone No. (with area code and/or extension): (619) 531-2000  
Fax No. (with area code): \_\_\_\_\_

Agency Type:  Federal  State  Local

Case Status:  On-going  Completed  Other: \_\_\_\_\_

Certifying Agency Category:  Judge  Law Enforcement  Prosecutor  Other: \_\_\_\_\_

Case Number: 06036662  
FBI No. or SID No. (if applicable): \_\_\_\_\_

### Part 3. Criminal Acts

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)
- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Abduction                                 | <input type="checkbox"/> Female Genital Mutilation                    | <input type="checkbox"/> Obstruction of Justice                         | <input type="checkbox"/> Slave Trade  |
| <input type="checkbox"/> Abusive Sexual Contact                    | <input type="checkbox"/> Hostage                                      | <input type="checkbox"/> Peonage  | <input type="checkbox"/> Torture  |
| <input type="checkbox"/> Blackmail                                 | <input type="checkbox"/> Incest                                       | <input type="checkbox"/> Perjury  | <input type="checkbox"/> Trafficking  |
| <input type="checkbox"/> Domestic Violence                         | <input type="checkbox"/> Involuntary Servitude                        | <input type="checkbox"/> Prostitution                                   | <input type="checkbox"/> Unlawful Criminal Restraint                                    |
| <input type="checkbox"/> Extortion                                 | <input type="checkbox"/> Kidnapping                                   | <input type="checkbox"/> Rape   | <input type="checkbox"/> Witness Tampering  |
| <input type="checkbox"/> False Imprisonment                        | <input type="checkbox"/> Manslaughter                                 | <input type="checkbox"/> Sexual Assault                                 | <input type="checkbox"/> Related Crime(s)   |
| <input checked="" type="checkbox"/> Felonious Assault              | <input type="checkbox"/> Murder                                       | <input type="checkbox"/> Sexual Exploitation                            | <input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.) |
| <input type="checkbox"/> Attempt to commit any of the named crimes | <input type="checkbox"/> Conspiracy to commit any of the named crimes | <input type="checkbox"/> Solicitation to commit any of the named crimes | _____   |

For USCIS Use Only	
Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	
Date	
Date	
Reloc Rec'd	
Date	
Date	
Remarks	

**Part 3. Criminal Acts (continued)**

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

06/08/2006

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

211 PC Robbery

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?  Yes  No

a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?  Yes  No

b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

c. Where did the criminal activity occur?

San Diego, CA

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

During a commercial robbery, Ascencio Torres was punched in the face by the suspect.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Ascencio Torres had pain to his face and a small cut on his hand.

**Part 4. Helpfulness of the Victim**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3.  Yes  No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.)  Yes  No

3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)  Yes  No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.)  Yes  No



**Part 4. Helpfulness of the Victim (continued)**

5. Other, please specify.

Ascencio Torres was helpful in this investigation.

**Part 5. Family Members Implicated in Criminal Activity**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim?  Yes  No

2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)



07/07/2016

**PABLO A. ZAMORA, ESQ.  
1901 FIRST AVENUE, 2ND FLOOR  
SAN DIEGO, CALIFORNIA 92101**

PHONE: (619) 206-4701

EMAIL: ZAMORA@TIPTHESCALESFORME.COM

WEBSITE: WWW.TIPTHESCALESFORME.COM

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July 12, 2016

USCIS-Vermont Service Center  
75 Lower Welden Street St. Albans, VT  
05479-0001

Re: *Letter in Support of U Visa and I-192 Waiver for Jose Diego Ascencio Torres*

Dear USCIS:

I am the attorney of record for Jose Diego Ascencio Torres ("Mr. Torres") in regards to his U Visa application and Waiver applications. Mr. Torres is applying for a "U" visa with the United States Citizen and Immigration Services ("USCIS"). Mr. Torres has potential grounds for inadmissibility and therefore is applying under Form I-192 for a waiver of any and all potential grounds for inadmissibility. The following is a letter detailing the factual and legal reasons why Mr. Torres' U Visa application should be approved and a Waiver granted in his case.

#### **INTRODUCTION**

Mr. Torres is currently at East Mesa Reentry Facility 446 Alta Road, Ste. 5200, San Diego, CA 92158. He has applied for a U-visa with USCIS because he is a qualifying individual. *See* Torres I-918 Application; *Cf.* 101(a)(15)(U) [grounds for U-Visa]. U-visas are available to aliens who, among other requirements, have "suffered substantial physical or mental abuse" as a result of certain enumerated criminal acts pursuant to section 101(a)(15)(U) of the Immigration and Nationality Act ("INA") who assist government officials in investigating or prosecuting such criminal activity.

Unfortunately, Mr. Torres also has periods of unlawful presence in the United States and has committed two crimes (separated by a decade) that would generally render him inadmissible. Therefore, Mr. Torres requests and applies for waiver pursuant to 8 C.F.R. § 212.17 and the exercise of discretion relating to his U nonimmigrant status consistent with the purpose, intent, and policy of granting U-visas to qualifying alien victims who assist law enforcement as Mr. Torres has done.

#### **GROUND FOR GRANTING MR. TORRES U VIS AND I-192 WAIVER REQUEST**

Pursuant to 8 C.F.R. § 212.17, an alien, in connection with a petition for U nonimmigrant status, may apply for a waiver of inadmissibility under the Immigration and Nationality Act ("INA") section 212(d)(14). This waiver is to an and all grounds of inadmissibility under INA section 212(a), (other than paragraph (3)(E) which is not applicable here

Specifically, Mr. Torres requests waiver of inadmissibility pursuant to INA section 212(a)(2)(A) [possession of marijuana with intent; theft of a bicycle], INA section 212(a)(9)(B) [previous removal], and INA section 212(a)(9)(B) [unlawful presence in the United States cumulatively in excess of 1 year] and any additional inadmissibilities that he may not be aware of such as expedited removals or additional bars against him.

USCIS, in its discretion, may grant the waiver based on section 212(d)(14) of the Act, if it determines that it is in the public or national interest to exercise discretion to waive the applicable grounds of inadmissibility for Mr. Torres. 8 C.F.R. § 212.17. In exercising its discretion of inadmissibility on criminal grounds, USCIS will consider “the number and severity of the offenses of which the applicant has been convicted.” *Id.*

Additionally, USCIS, in its discretion, may grant the waiver based on INA section 212(d)(3), and therefore Mr. Torres alternatively requests a waiver under said section 212(d)(3). *Id.*

### **MR. TORRES I-192 WAIVER REQUEST SHOULD BE GRANTED**

Here, there is ample reason for USCIS to waive all potential grounds of inadmissibility for Mr. Torres because he was the victim of a brutal crime in which the perpetrator was carrying out a string of violent robberies, including the felonious assault against Mr. Torres, that Mr. Torres helped law enforcement to stop. *See* Torres I-918 Application [Police Report and Certification; Personal Statement of Mr. Torres].

#### **A. Mr. Torres Meets the Criteria for a U-Visa**

The criteria an applicant must meet for approval under a U-visa application are: (1) he has suffered “substantial physical or mental abuse” in connection with a qualifying crime; (2) he possesses information concerning the crime; (3) he “has been helpful, is being helpful, or is likely to be helpful” to an official who is investigating or prosecuting the crime; and (4) the qualifying crime violated federal or state law. *United States v. Cisneros-Rodriguez*, 813 F.3d 748, 759 (9th Cir. 2015); citing 8 U.S.C. § 1101(a)(15)(U)(i). “A U-visa applicant must obtain a certification from a law enforcement official in order to qualify for the visa.” *Id.*; citing 8 C.F.R. § 214.14(c)(2)(i).

Mr. Torres presented evidence meeting each of the requirements above in his I-918 application. He presents evidence of substantial physical and mental abuse in his signed statement, supported by the included police report that shows he suffered the substantial physical injury of being struck in the face by the fist of a six-foot-tall and two hundred pound man. His personal statement details the mental injury that he continued to suffer afterwards. He presents evidence that he possessed information concerning the crime and his helpfulness in the investigation (attached police report and Supplement B). Finally, the San Diego Police Department’s certification provides evidence that the qualifying crime violated state law.

#### **B. USCIS Should use its Discretion to Grant Mr. Torres the U Visa and Waiver**

USCIS has the discretion to waive grounds of inadmissibility, see above, and it should do so here. “In discretionary determination cases. . . the agency is required to balance positive versus negative factors.” *Baez v. United States*, 715 Supp. 2d 1165, 1181 (D. Or. 2010). Applicants for a U-visa “may apply to waive grounds that would ordinarily bar his admission to the United States, including certain criminal convictions.” *United States v. Cisneros-Rodriguez*, 813 F.3d 748, 759 (9th Cir. 2015) [finding that “[c]onviction for an aggravated felony does not necessarily disqualify an applicant from obtaining a U-visa”].

### 1. *Mr. Torres Criminal Record*

Mr. Torres' crimes were not serious or violent. Mr. Torres pleaded guilty to marijuana possession with intent, the use of which is now highly liberalized in California where he was convicted. *See e.g.* California Health and Safety Code 11357(b) [amended by Senate Bill 1449 to reduce penalties from a misdemeanor to an infraction and fine of \$100 for "every person who possesses not more than 28.5 grams of marijuana"]. It is unclear whether he would even be arrested today under the same circumstances. Additionally, Mr. Torres' drug problem occurred after his victimization for which he is seeking the U-visa and, since the time of his arrest almost a decade ago, has been rehabilitated from his drug issues and he has not committed any other drug-related crimes.

Mr. Torres' second crime was for theft when he took a bait bike off a rack after work and road home. This crime was crime of opportunity because the scooter he used to commute to work was not working. Although illegal, it was not a crime of violence or for vindictive purposes and therefore unlikely to be repeated.

In Contrast to the crimes of Mr. Torres, the Ninth Circuit Court of Appeal in *United States v. Cisneros-Rodriguez* found that, despite a "substantial criminal record" of a "variety of state misdemeanors and felonies", it was still "plausible that [the applicant] would have obtained a U-visa" *United States v. Cisneros-Rodriguez*, 813 F.3d 748, 762 (9th Cir. 2015). Mr. Torres crimes are much less substantial and severe as those described in *United States v. Cisneros-Rodriguez*.

Mr. Torres' case is distinguishable from those cases in which a significant number of serious crimes had been found to outweigh positive equitable factors. In a determination by the BIA in a 212(c) waiver case, serious crimes warranting denial of waiver based on balancing positive versus negative factors are described in *Matter of Edwards*, 20 I. & N. Dec. 191, (BIA 1990). In that case, the respondent applicant had committed a number of serious crimes, including attempted burglary; third degree burglary, larceny, possession of burglary tools, and possession of stolen property; attempted burglary; possession of a controlled substance; possession with intent to distribute a controlled substance (two counts), intentional distribution of a controlled substance (three counts), and conspiracy to distribute a controlled substance (one count). *Id.* at 192. Despite the numerosity and seriousness of the applicant in *Matter of Edwards*, the BIA still took into consideration positive factors of the applicants familial and other ties to the United States and found them to be "unusual or outstanding", but decided against waiver based on the number and severity of the applicant's crimes, as well as a failure to rehabilitate. *Id.* at 199.

Mr. Torres' crimes are nowhere near the severity or number as the applicant in *Matter of Edwards* or even *United States v. Cisneros-Rodriguez*, where it was found the applicant would plausibly be granted a U-visa. Therefore Mr. Torres' crimes should be given far less weight in comparison to the positive factors for granting a waiver.

### 2. *Mr. Torres' Previous Removal, Unlawful Presence, and any Expedited Removals and/or additional bars to immigration to the U.S.*

Pursuant to 8 C.F.R. § 212.17 and INA 212(d)(14) a U-visa applicant may be granted a waiver based on a discretionary determination that it is in the "public or national interest to exercise discretion to waive the applicable grounds of inadmissibility." 8 C.F.R. § 212.17. Mr. Torres' case fits squarely within the purpose of the enacting legislation creating the U-visa category and therefore, Mr. Torres should be granted a waiver of inadmissibility for inadmissibilities in his case. As stated in the Federal Registrar (Daily Journal of the United States Government):

Phone: (619) 206-4701

Email: [info@ripthescalesforme.com](mailto:info@ripthescalesforme.com)

Alien victims may not have legal status and, therefore may be reluctant to help in the investigation or prosecution of criminal activity for fear of removal from the United States. In passing this legislation, Congress intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, trafficking of aliens and other crimes while offering protection to victims of such crimes. See BIWPA, sec. 1513(a)(2)(A). Congress also sought to encourage law enforcement officials to better serve immigrant crime victims. *Id.*

72 F.R. 53014 at 8, italics in original.

Mr. Torres was the victim of the qualifying crime of felonious assault (*see* Form I-918 Instructions at 1, *see also* Mr. Torres I-918, Supplement B), and is exactly the type of person that the legislation enacting the U-visa intended to help because he does not have legal status. *See* 72 F.R. 53014 at 8, above. For these reasons, it is within the public and national interest to grant Mr. Torres a waiver in order to effectuate the purpose of the U-visa.

**C. Mr. Torres Should Be Granted a U Visa and Waiver Because His Favorable Equities Warrant a Discretionary Waiver**

The length of time in the United States, marriage to a United States citizen and care for United States citizen children are all "significant reasons" that have been determined to be favorable in granting a waiver. *United States v. Cisneros Rodriguez*, 813 F.3d 748, 762 (9th Cir. 2015).

Mr. Torres has very substantial family equities in the United States. He has a United States citizen wife with whom he has had a relationship with for eighteen years. Together they have a fourteen-year-old son who is a citizen of the United States. Mr. Torres' deportation would cause extreme hardship to his wife and son, as they are dependent upon him financially (he is the main breadwinner) and are emotionally close to him. *See* Mr. Torres I-918 Application [supporting documents; *see also* supporting letter of Mr. Torres' son Dante Ascencio]. Mr. Torres' economic outlook in Mexico is bleak, thereby inhibiting his ability to contribute to the support of his family in the United States.

Mr. Torres will be deported without this waiver, and his family will be unlikely to be able to afford to visit Mr. Torres even though he put himself at risk by assisting the police in putting away a violent robber. Nor is Mr. Torres likely to ever be able to return to visit his family if he is forced to leave now. If the waiver is not granted, it will permanently sever this family unit.

**CONCLUSION**

We request that you use your discretion and approve Mr. Torres' U-visa application and Waiver. The hardship that would be suffered by Mr. Torres' United States citizen family, his extensive family ties to the United States, and the relatively low risk of recidivist behavior, all outweigh the adverse factors in this case and Mr. Torres' request for waiver should be granted. It is in the public and national interest that he be approved as the interests in wanting undocumented individuals to assist the government with crime prevention and persecution is extremely important and is a substantial reason to use your discretion to approve.

Sincerely,

  
Pablo A. Zamora, Esq.

-also requesting Fee waiver of I-192 Application

Pablo A. Zamora, Esq.  
Immigration Law

## I-918 Personal Statement

My name is Jose Ascencio Torres, I was employed at the Arco AM-PM at 5405 Clairemont Mesa Blvd. I worked as a cashier during evening shift from 4:00 p.m. to 11:00 p.m. On June 21, 2006, at about 9:30 p.m. an African-American man came into the gas station and walked to the counter with a \$5.00 bill in his hand, he had a hoodie jacket on and the hood on. He was a tall man, at least six feet, and weighed around two hundred pounds. He asked if he could get some change to catch the bus. I was nervous by the way the man had his hood down and how big he was and so I made small talk, asking him about what time the bus went by and stuff like that he did not respond. I went ahead and pressed the no-sale button so I could give him change, since he did not make a purchase. At the moment the cash register opened, he launched himself up onto the counter towards me and threw a punch that hit me really hard in the face and hurt me badly. The punch was so hard I stumbled back. Then he shoved me hard and when he did that he scratched me. He grabbed the cash box from the drawer and ran out of the store. I felt helpless that this guy didn't even need to threaten me with a weapon, he could just beat me and take whatever he wanted.

My co-worker was there when it happened and started chasing after the robber. I called out to him not to chase the robber because I was scared. I was scared how the man could be so violent and I didn't want my co-worker to get his face bashed and bloody like mine was. I called 911 and reported the robbery. I was panicking. The police got there right away and when I had calmed down, I was interviewed by the police officer and I was asked if I was ok. I wasn't. I told him that I had been punched in the face and scratched and that I was really scared. I didn't like admitting how badly the man had scared me, where I am from men are supposed to be tough and the man who beat me took the money that I was supposed to be caring for. He took more than that, he took my dignity and pride.

I was always afraid when I was working after that incident about what could happen to me and was in a lot of pain where he hit me after the attack during the robbery. I would look at everyone coming in and wonder when I might be hurt next. I ended up turning to any help that I could get my hands on and ended up using drugs which lead to me getting into trouble myself. I don't think I would have had a drug problem if this didn't happen to me. It has taken a long time to get my life back together since then. I make better choices now, but to this day the attack continues to affect me.

A few days after the attack, detectives came over to the gas station and showed me a line up to see if I could identify the robber. I wanted to help them get this guy, so I cooperated and looked through the line-up. A few weeks after the robbery, I was subpoenaed to appear in court, but I would have come even without a subpoena. I went to the court in downtown San Diego as required and did everything asked of me. It was there that I learned that the robbery at the store I worked at was just one of the stores that the man had robbed and I wanted to make sure that I did

my part so that he would pay for his crimes. After that, I was subpoenaed one more time. As far as I know the robber was convicted and punished.

Through the investigation, I helped as much as I could and answered all the questions that were asked of me and did everything I could to stop the robber from hurting anyone else. It took a long time for my face to fully heal after I got punched and I still am afraid every single day that something like this could happen to me again. It doesn't matter if I am at work or even just out. I wish this had never happened to me.

Signed,

A handwritten signature in black ink, appearing to read "Jose Ascencio Torres". The signature is written in a cursive style with a horizontal line underneath it.

Jose Ascencio Torres

July 8, 2016

Hello my name is Dante Adrian Ascencio

my father is Jose Diego Ascencio and I am asking that you give my dad a chance to redeem himself and give our family some hope if he was not in my life it would negatively affect me and my mom alot. My father is the main financial supporter of our family working the afternoons to late night while my mom works mornings to afternoons where she would then pick me up from school. If my father was to be deported it would launch me and my mom into a deep financial hole which we would struggle to get out of and separate our family. if my dad can't come home my mom would have to move us with him to mexico or get a second job I would have no one to take care of me and that would be sad for me. not having my father in my life would not be healthy as well though it may seem petty I would not have anyone to teach me to shave or work on a cars or drive I need my dad to take me camping and bike ride with me. focus on these things as much as other things. So please take these things into consideration about what would happen to our loving family.



BIRTH CERTIFICATE AND RECOGNITION OF PARENTAGE

[The Mexican seal with an eagle holding a snake and the words "United Mexican States" appears in the upper left corner of the document]

[Below the Mexican Seal appears:

No. 2092

[indistinguishable]o No. [with the word "exempt"]

[indistinguishable] minor

National of VACU

08 AFF 6374]

In the state of Mexico TLALNEPANTLA DE BAZ at 10.30 hours on the 2 day of April of 1981 before me Citizen Lic. MIGUEL CENOZ REYES Official of the Civil Registry of the Municipality of TLALNEPANTLA DE BAZ district of TLALNEPANTLA DE BAZ

Appeared Jose Ascencio Garcia. and Maria Rosa Torres Valos

Domiciled at Nerdo 38 Los Reyes, Tlal.

To present a live male child whom they named JOSE DIEGO ASCENCIO TORRES.

Born in Mexico, D.F. at 11.29 am on th4e 22<sup>nd</sup> day of March of the year 1981.

GENERAL

OF THE PARENTS

Him: Jose Ascencio Garcia

Origin: La Barca, Jal.

Domicile:

Age: 39 years

Nationality:

Her: Maria Rosa Torres Avalos

Brisenas, Mich.

The same

30 years

Mexican

OF THE PATERNAL GRANDPARENTS

Him: Jose Ascencio Oceguede

Domicile:

Her: Ramon Garcia Barajas

La Barca, Jal.

OF THE MATERNAL GRANDPARENTS

Him: Alfredo Torres Napoles

Domicile:

Her: Consuelo Avalos Gonzales

Tultitlan, Mex.

FOUNDLING

Place where was found \_\_\_\_\_ day \_\_\_\_\_

Of \_\_\_\_\_ of 19 \_\_\_\_\_ a the time \_\_\_\_\_ hours.

Apparent age \_\_\_\_\_ sex \_\_\_\_\_

Relationship of clothes, papers or any other items found with the child, as well as other circumstances in the case have (illegible).

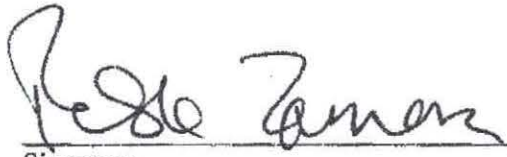
**CERTIFICATE OF TRANSLATION**

I, Pablo Zamora, state that I am familiar with the English and the Spanish languages and am competent to make translations and that I have made the attached translation into English of the document entitled or pertaining to:

Birth Certificate and Recognition of Parentage for JOSE DIEGO ASCENCIO TORRES

And that it is a complete and accurate translation to the best of my abilities thereof.

Dated: 07-11-16

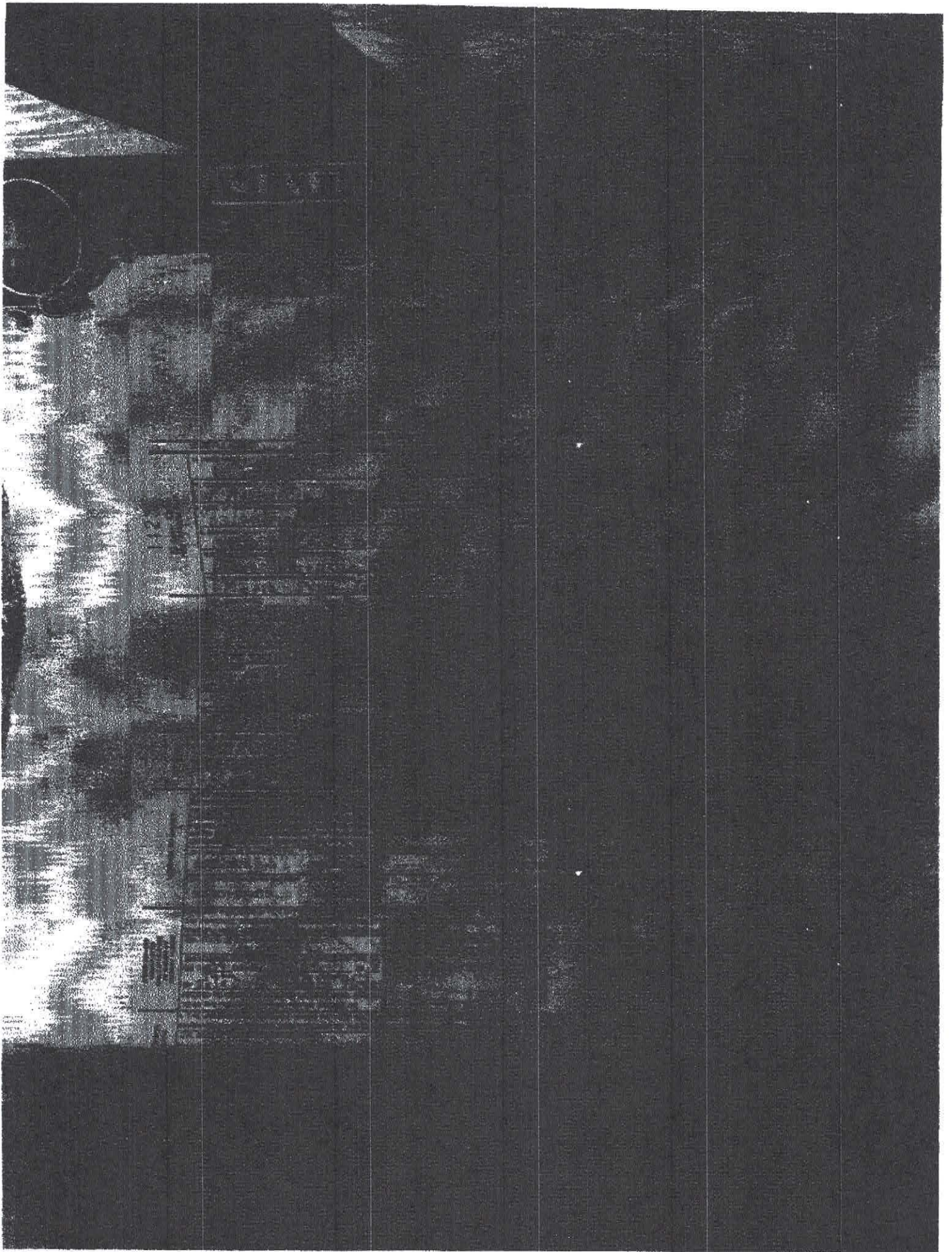
  
\_\_\_\_\_  
Signature

Pablo Zamora  
1901 First Ave., 2<sup>nd</sup> Floor  
San Diego, CA 92101

CIENDEGA

Mrs. Rosa Torres Avalos.

San Juan, P.R.





Estrellita Wohlbrandt  
San Diego, CA 92110  
626-379-5781

To whom this concerns:

I am writing this letter to you as a personal and work reference for Jose Ascencio. I have known Jose for over 6 years as first a co-worker and now as a good friend. Jose as a contagious "can do" attitude, drawing people and employers towards him, always supportive of friends and co-workers. Jose as grown substantially since I first met him and he continues to grow as a person, co-worker, friend and father.

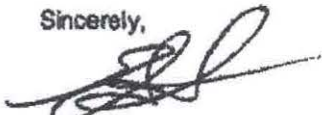
Jose has worked hard to learn new skills to become a baker, pastry chef and cook, always ready to acquire new skills that will further his knowledge. He is a very hard worker, great attitude and never said no to anything I asked as his supervisor. He was punctual, with a perfect attendance record. Jose communicates well, exercises great patience with others and works hard to excel at all expectations set out for him.

Jose is all about his family; Teka and Dante are his world. Working hard to ensure he provides for them not only financially but also emotionally. Jose spends endless hours with Dante to guarantee he has a father that Dante is proud of, a father that supports him all through life. He is a great dad, always talking and working with Dante to stay updated as to what is going on with his son. I cannot say enough of how he feels for his family, taking them to movie, hiking and reading books together; anything that will keep his family together.

Jose puts in long hours when he has to and is constantly refining his craft. Even now, when I have asked Jose for help as a friend he is quick to offer any assistance possible. Jose is always giving his time to help others in his neighborhood and work place. Honestly I can't say enough about hose as a person, dad and a true gentleman.

Jose is a fine professional along with the one of the most honest and upstanding people I know. If you require further information, please feel free to call me at 626-379-5781 or email me at [esti17@me.com](mailto:esti17@me.com)

Sincerely,



Estrellita Wohlbrandt

### Character Reference for Jose

I've known Jose for about 2 years while working with him at Pangea Bakery. While there, he struck me as a responsible, caring and involved parent and partner.

Jose was always talking about his son, Dante. I recall one time Jose saying Dante was getting older so Jose went out and got Dante some shaving cream and cologne. Jose wanted to make sure his son was prepared. Always positive, he would also talk about telling Dante to stay out of trouble. That was very important to Jose. He would also constantly show us pictures of his then girlfriend (now wife) . That's just the kind of person Jose is – always thinking about his family and making sure they're comfortable.

Jose was also always very polite to everyone at work. Always does everything with a smile. He was able to handle multiple tasks at a time and considered an asset to the company. I recall asking him to watch my cakes in the oven when I needed to take a break and he would always be willing to help out. He never said "that's not my job".

All of the above is why I believe Jose is a valuable and positive contributor to his family and the people he works with. It would be devastating if he were to be separated from his currently intact family unit and home. I believe that he would be able to move past his mistake and continue to contribute to society in a positive way.

Thank you.

Lillian Chng

10398 Rancho Carmel Dr

San Diego, CA 92128

(858) 676-0321

# SAN DIEGO REGIONAL CRIME / INCIDENT REPORT

INCIDENT NUMBER  
**06060049091**  
PAGE  
**1 OF 10**  
CASE NUMBER  
**06036662**

<b>C R I M E</b>	RELATED REPORTS <input type="checkbox"/> N	ADDNL PROPERTY <input type="checkbox"/> N	ADDNL OFFENSES LISTED IN RPT. <input type="checkbox"/> N	BEAT <b>111</b>	DISTRICT	DATE <b>06/21/2006</b>	DAY OF WEEK <b>Wed</b>	TIME <b>21:45</b>
CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) <b>PC / 211 / ROBBERY</b>								
LOCATION OF INCIDENT (OR ADDRESS) <b>5405 CLAIREMONT MESA BL (am/pm)</b>						CITY <b>SAN DIEGO</b>		

<b>V I C T I M</b>	VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) <input type="checkbox"/> Y <input type="checkbox"/> Airt/Pm								
<b>W I T N E S S</b>	W-TYPE <b>06</b>	RESIDENCE ADDRESS <b>5385 CLAIREMONT MESA BL #5</b>	CITY <b>SAN DIEGO</b>	STATE <b>CA</b>	ZIP <b>92117</b>				
RESIDENCE PHONE <b>(858)277-1627</b>		RACE <b>H</b>	SEX <b>M</b>	DATE OF BIRTH <b>03/22/1981</b>	ID TYPE	ID NUMBER	INTERPRETER REQUIRED <input type="checkbox"/> N	RELATION TO VICTIM/SUSPECT	
STATUS <b>E</b>		EMPLOYER (RANK IF MILITARY) <b>Airt/Pm</b>		BUSINESS PHONE <b>(858)279-6661</b>		DAYS OFF <b>VARY</b>	WORK HRS. <b>VARY</b>	V/W ASSIST <input type="checkbox"/> N	
BUSINESS OR MILITARY ADDRESS <b>5405 CLAIREMONT MESA BL</b>		CITY <b>SAN DIEGO</b>		STATE <b>CA</b>		ZIP <b>92117</b>			
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)									

<b>W I T N E S S</b>	W-TYPE <b>06</b>	RESIDENCE ADDRESS <b>5385 CLAIREMONT MESA BL #5</b>	CITY <b>SAN DIEGO</b>	STATE <b>CA</b>	ZIP <b>92117</b>				
RESIDENCE PHONE <b>(858)277-1627</b>		RACE <b>H</b>	SEX <b>M</b>	DATE OF BIRTH <b>03/22/1981</b>	ID TYPE	ID NUMBER	INTERPRETER REQUIRED <input type="checkbox"/> N	RELATION TO VICTIM/SUSPECT	
STATUS <b>E</b>		EMPLOYER (RANK IF MILITARY) <b>Airt/Pm</b>		BUSINESS PHONE <b>(858)279-6661</b>		DAYS OFF <b>VARY</b>	WORK HRS. <b>VARY</b>	V/W ASSIST <input type="checkbox"/> N	
BUSINESS OR MILITARY ADDRESS <b>5405 CLAIREMONT MESA BL</b>		CITY <b>SAN DIEGO</b>		STATE <b>CA</b>		ZIP <b>92117</b>			
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)									

<b>M. O. I N F O R M A T I O N</b>	TOTAL # OF WITNESSES AT CRIME: <b>3</b>		PLACE OF ATTACK: <b>1. Structure</b>	
DESCRIPTION OF SURROUNDING AREA: <b>2. Business</b>				
<input type="checkbox"/> F SPECIFY: <b>HAND</b>			HOW USED: <b>PUNCH</b>	
<input type="checkbox"/> SPECIFY:			HOW USED:	
TYPE OF STRUCTURE <b>Non-Residential</b>	POINT OF ENTRY <b>2. FRONT</b>  <b>6. GROUND LEVEL</b>  <b>6. DOOR</b>	SECURITY USED <b>11. PHOTOCAMERA</b>	SUSPECT ACTIONS <b>22. INFLICTED INJURY</b> <b>40. TOOK CASH FROM REGISTER PERSONALLY</b> <b>48. TOOK ONLY MONEY</b>	
TARGET(S) <b>1. CASH REG/DRAWER</b> <b>5. PERSON</b>	TYPE LOCK ATTACKED <b>a. NA</b>		I certify that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.	

<b>A D M I N</b>	VICTIM INJURED: <input type="checkbox"/> Y	EXTENT OF TREATMENT: <b>NONE</b>	SIC: <b>NO, probably is: ADULT</b>
REPORTING OFFICER <b>D BRECHT</b>		I.D.# <b>5807</b>	DIVISION <b>N2</b>
DATE AND TIME OF REPORT DATE: <b>06/22/2006</b> TIME: <b>01:07</b>		CASE STATUS <b>131</b>	AGENCY <b>SDPD</b>
		CRIME TYPE <b>PC / 211</b>	



04060049091

PROPERTY	ITEM NO.	ARTICLE NAME	STOLEN RECYD	IDENTIFICATION NUMBERS	BRAND, MAKE OR MANUFACTURER	MODEL NAME AND MODEL NUMBER	MISCELLANEOUS DESCRIPTION	VALUE
	1	us currency	1 0				EXACT LOSS UNKN OWN AT THIS TIME, A	200.00
	2							
	3							
	4							

ARRESTED SUSPECT #1 (LAST, FIRST, MIDDLE)  
 N Suspect, One

NICKNAME/AKA \_\_\_\_\_ ID TYPE \_\_\_\_\_ ID NUMBER \_\_\_\_\_

SUSPECT'S ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ RACE B SEX M AGE 25 - 35 DOB \_\_\_\_\_ HT. 5'11" - 6'01" WT. 190 - 210 BUILD NOR HAIR COLOR BRO EYE COLOR BRO

ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E. GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.) \_\_\_\_\_

SUSPECT'S CLOTHING  
 White Hooded Sweat Shirt, Black Pants, White Shoes

SUSPECT(S)

HAIR LGTH/TYPE	HAIR STYLE	FACIAL HAIR	COMPLEXION	GENERAL APPEARANCE	DEMEANOR	SPEECH	VOICE
6. SHORT 1. COARSE	1. AFRO/NATURAL	4. GOATEE	2. DARK	1. CERTAIN	10. VOLUNT	3. MUMBLER	5. MEDIUM

I certify that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

SUSPECT VEHICLE: YEAR \_\_\_\_\_ MAKE \_\_\_\_\_ MODEL \_\_\_\_\_ COLOR / COLOR \_\_\_\_\_ TYPE \_\_\_\_\_ LICENSE NO. \_\_\_\_\_ LIC STATE \_\_\_\_\_

ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.) \_\_\_\_\_ VIN \_\_\_\_\_ VEHICLE IMPOUND \_\_\_\_\_ TOWING COMPANY \_\_\_\_\_

EVIDENCE OBTAINED: 1. FINGERPRINTS 5. PHOTOS 8. OTHER SEE INV. ADDENDUM

SEE INVESTIGATION ADDENDUM FOR DETAILS

TAG NOS. see narrative

ADDM/L PERSONS LISTED:  WITNESS CHECK:

ADDITIONAL OFFENSES: \_\_\_\_\_

HEADINGS: CRIME DESCRIPTION; VICTIM(S) STATEMENT; OFFICER'S STATEMENT / INVESTIGATION; EVIDENCE DISPOSITION; WITNESS STATEMENT / WITNESS CHECKS; INJURIES / PROPERTY DAMAGE

NARRATIVE

officer assault: **OAK ZZ**

Number Officers \_\_\_\_\_ 0 \_\_\_\_\_ Activity when assault occurred: \_\_\_\_\_

Number Officers without personal injury \_\_\_\_\_ 0 \_\_\_\_\_

ARSON TYPE: \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ CONTENT LOSS \$ .00 STRUCT LOSS \$ .00 ABANDON  CONTINUED

**SAN DIEGO REGIONAL  
ADDITIONAL VICTIMS AND/OR WITNESSES  
AND OTHER PEOPLE ASSOCIATED WITH THE CRIME**

INCIDENT NUMBER  
**06060049091**

PAGE  
**3 OF 10**

CASE NUMBER  
**06036862**

LOCATION OF INCIDENT (OR ADDRESS)

**5405 CLAIREMONT MESA BL (am/pm)**

CITY <b>SAN DIEGO</b>		BEAT <b>111</b>	DISTRICT	
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) <b>Labian, Julius</b>				
W-TYPE <b>06</b>	RESIDENCE ADDRESS <b>6225 BEADNELL WY #3</b>		CITY <b>SAN DIEGO</b>	STATE ZIP <b>CA 92117</b>
RESIDENCE PHONE <b>(858)565-7074</b>	RACE <b>O</b>	SEX <b>M</b>	DATE OF BIRTH <b>06/28/1982</b>	ID TYPE ID NUMBER <b>DL D5935928</b>
STATUS EMPLOYER (RANK IF MILITARY) <b>E Am/Pm</b>		BUSINESS PHONE <b>(858)279-8661</b>	DAYS OFF <b>VARY</b>	WORK HRS. V/W ASSIST <b>VARY N</b>
BUSINESS OR MILITARY ADDRESS <b>5405 CLAIREMONT MESA BL</b>		CITY <b>SAN DIEGO</b>	STATE ZIP <b>CA 92117</b>	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)				

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) <b>Kata, Osama</b>				
W-TYPE <b>06</b>	RESIDENCE ADDRESS <b>716 BROADWAY #18</b>		CITY <b>EL CAJON</b>	STATE ZIP <b>CA 92021</b>
RESIDENCE PHONE <b>(619)672-9282</b>	RACE <b>O</b>	SEX <b>M</b>	DATE OF BIRTH <b>04/19/1972</b>	ID TYPE ID NUMBER <b>DL D8749286</b>
STATUS EMPLOYER (RANK IF MILITARY) <b>E Secure Protective Services</b>		BUSINESS PHONE <b>(619)688-0880</b>	DAYS OFF <b>VARY</b>	WORK HRS. V/W ASSIST <b>VARY N</b>
BUSINESS OR MILITARY ADDRESS <b>7850 MISSION CENTER RD #102</b>		CITY <b>SAN DIEGO</b>	STATE ZIP <b>CA 92108</b>	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)				

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)				
W-TYPE	RESIDENCE ADDRESS		CITY	STATE ZIP
RESIDENCE PHONE	RACE	SEX	DATE OF BIRTH	ID TYPE ID NUMBER
STATUS EMPLOYER (RANK IF MILITARY)		BUSINESS PHONE	DAYS OFF	WORK HRS. V/W ASSIST
BUSINESS OR MILITARY ADDRESS		CITY	STATE ZIP	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)				

Verify that the information requested is not used solely for those purposes stated above and will not be used to harass, degrade or intimidate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)				
W-TYPE	RESIDENCE ADDRESS		CITY	STATE ZIP
RESIDENCE PHONE	RACE	SEX	DATE OF BIRTH	ID TYPE ID NUMBER
STATUS EMPLOYER (RANK IF MILITARY)		BUSINESS PHONE	DAYS OFF	WORK HRS. V/W ASSIST
BUSINESS OR MILITARY ADDRESS		CITY	STATE ZIP	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)				

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)				
W-TYPE	RESIDENCE ADDRESS		CITY	STATE ZIP
RESIDENCE PHONE	RACE	SEX	DATE OF BIRTH	ID TYPE ID NUMBER
STATUS EMPLOYER (RANK IF MILITARY)		BUSINESS PHONE	DAYS OFF	WORK HRS. V/W ASSIST
BUSINESS OR MILITARY ADDRESS		CITY	STATE ZIP	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)				

REPORTING OFFICER <b>D BRECHT</b>	I.D. <b>5607</b>
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COPY

CONTINUED **Y**

**SAN DIEGO REGIONAL  
ADDITIONAL VICTIMS AND/OR WITNESSES  
AND OTHER PEOPLE ASSOCIATED WITH THE CRIME**

INCIDENT NUMBER  
**06060049091**  
PAGE  
**4 OF 10**  
CASE NUMBER  
**06036662**

LOCATION OF INCIDENT (OR ADDRESS)										
CITY			BEAT			DISTRICT				
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)										
W-TYPE		RESIDENCE ADDRESS					CITY		STATE ZIP	
RESIDENCE PHONE		RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT		
STATUS	EMPLOYER (RANK IF MILITARY)			BUSINESS PHONE		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>		
BUSINESS OR MILITARY ADDRESS					CITY			STATE ZIP		
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)										
W-TYPE		RESIDENCE ADDRESS					CITY		STATE ZIP	
RESIDENCE PHONE		RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT		
STATUS	EMPLOYER (RANK IF MILITARY)			BUSINESS PHONE		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>		
BUSINESS OR MILITARY ADDRESS					CITY			STATE ZIP		
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)										
W-TYPE		RESIDENCE ADDRESS					CITY		STATE ZIP	
RESIDENCE PHONE		RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT		
STATUS	EMPLOYER (RANK IF MILITARY)			BUSINESS PHONE		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>		
BUSINESS OR MILITARY ADDRESS					CITY			STATE ZIP		
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)										
W-TYPE		RESIDENCE ADDRESS					CITY		STATE ZIP	
RESIDENCE PHONE		RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT		
STATUS	EMPLOYER (RANK IF MILITARY)			BUSINESS PHONE		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>		
BUSINESS OR MILITARY ADDRESS					CITY			STATE ZIP		
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)										
W-TYPE		RESIDENCE ADDRESS					CITY		STATE ZIP	
RESIDENCE PHONE		RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT		
STATUS	EMPLOYER (RANK IF MILITARY)			BUSINESS PHONE		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>		
BUSINESS OR MILITARY ADDRESS					CITY			STATE ZIP		
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)										
W-TYPE		RESIDENCE ADDRESS					CITY		STATE ZIP	
RESIDENCE PHONE		RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT		
STATUS	EMPLOYER (RANK IF MILITARY)			BUSINESS PHONE		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>		
BUSINESS OR MILITARY ADDRESS					CITY			STATE ZIP		
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										
REPORTING OFFICER				I.D.						
D BRECHT				5807						

I certify that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or discriminate any person. The undersigned or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

# INVESTIGATION ADDENDUM REPORT

CONTINUED FROM CRIME REPORT	INCIDENT NUMBER <b>06060049091</b>		
	PAGE <b>5 OF 10</b>	CASE NUMBER <b>06036692</b>	

CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)  
**PC/211/ROBBERY**

LOCATION OF INCIDENT (OR ADDRESS)  
**5405 CLAIREMONT MESA BL (am/pm)**

CITY <b>SAN DIEGO</b>	DATE <b>06/21/2006</b>	DAY OF WEEK <b>Wed</b>	TIME <b>21:45</b>	BEAT <b>111</b>
--------------------------	---------------------------	---------------------------	----------------------	--------------------

PERSON(S) INVOLVED: VICTIM  
**Am/Pm,**

SUSPECT (IF NAMED)  
**Suspect, One**

PROPERTY TAG NO(S)  
**see narrative**

### EVIDENCE COLLECTION

Officer's Investigation:  
 I conducted the following attempts to locate, collect and preserve evidence from the crime scene at  
**5405 CLAIREMONT MESA, SAN DIEGO**

I made an effort to locate physical evidence  **YES**

**LATENT PRINTS:**

If YES, what areas were printed with what results:

<u>Location</u>	<u># of Prints Lifted</u>	<u>Disposition</u>
scene	13	northern

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REPORTING OFFICER <b>D BRECHT</b>	I.D.# <b>5807</b>	DIVISION <b>N2</b>	DATE OF REPORT <b>06/22/2006</b>	TIME <b>01:07</b>
--------------------------------------	----------------------	-----------------------	-------------------------------------	----------------------

**OTHER PHYSICAL EVIDENCE:**

I made other attempts to locate physical evidence at the scene.

YES

If NO, explain:

I recovered evidence listed in the spaces below (Include photographs also):

Item Description	By Whom
5 dollar bill	d brecht
How Marked	Disposition
5807	northern
Location Found: scene	
Tag Number: see narrative	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

I certify that the information requested will be used only for those limited purposes stated and will not be used to harass, degrade or intimidate any person. The requesting agency hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the proper use of the information provided.

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Continue with additional witness / evidence check information on another investigation Addendum Report.

CONTINUED

Y

Continued From: CRIME	<b>San Diego Regional Officer's Report Narrative</b>			Incident Number 06060249091
Page 7 of 10				Case Number 06036662
Code Section And Description (one incident only) PC / 211 / ROBBERY	I certify that the information requested is true and correct and will not be used to harass, intimidate, or discriminate any person. The requesting agency agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.		Day of Week Wed	Time 21:45
Location Of Incident (Or Address) 5405 CLAIREMONT MESA BL (am/pm)	Date 6/21/2006	City SAN DIEGO	District	Beat 111
Person(s) Involved: Victim Am/Pm				
Suspect (If Named) Suspect One				
Property Tag No.(s) see narrative				

**SYNOPSIS:**

An unknown black male entered the AM/PM at 5405 Clairemont Mesa Bl and asked the clerk (Jose Asencio) for change. When Asencio opened the cash register the male punched Asencio in the face, lunged onto the counter, and grabbed the cash till from the register. The suspect fled SB Doliva with the till. There is no suspect in custody at this time. The loss is approximately \$200.

**ORIGIN:**

On 06-21-06 at 2147 hours I was dispatched to investigate a robbery at 5405 Clairemont Mesa Bl (AM/PM).

**INVESTIGATION:**

Upon arrival I spoke to Jose Asencio (Victim/RP), Osama Kata (Witness), and Julius Labian (Witness) see below statements not verbatim. Numerous other Officers checked the area for the suspect and for evidence (Neither were found). Robbery Detective R Anschick #4582 arrived to assist (Took digital photos of the scene, kept custody of the disc). I lifted 13 latent prints from the scene. I recovered a 5-dollar bill the suspect left at the scene (From which he asked the clerk for change).

I viewed the video surveillance of the incident. The suspect was a dark skinned black male possibly 25 to 35 years of age; about 6ft 200 lbs wearing a white hooded sweat shirt, dark pants and white tennis shoes. The suspect wore the hood up during the incident and was not wearing gloves. The suspect appeared to have a goatee.

The suspect entered the right side door (Looking at the business from the outside) touching only the backside of the exterior handle. The suspect touched the front of the counter several times and also touched a plastic cigarette mat, which was on the counter next to the cash register when lunging to reach the drawer. The suspect exited the right side door (Looking out of the business from behind the sales counter). While exiting the suspect touched the right side door handle and a portion of the frame. The suspect ran WB toward Doliva. I lifted latent prints from all the areas the suspect touched.

**BACKGROUND:**

NONE

Reporting Officer D BRECHT	ID # 5807	Division N2	Approved By	Date of Report 06/22/2006	Time 01:07
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Continued Y

Continued From: CRIME	<b>San Diego Regional Officer's Report Narrative</b>			Incident Number 06060049091	
Page 8 of 10				Case Number 08036662	
Code Section And Description (one incident only) PC / 211 / ROBBERY	I certify that the information requested will be used solely for those purposes stated and will not be used to harass, degrade or	Date 6/21/2006	Day of Week Wed	Time 21:45	
Location Of Incident (Or Address) 5405 CLAIREMONT MESA BL (am/pm)	SAN DIEGO			District	Beat 111
Person(s) Involved: Victim Am/Pm.	While any person. The requesting agency				
Suspect (If Named) Suspect, One	A person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the proper use of the information provided.				
Property Tag No.(s) see narrative					

**STATEMENTS of Jose Asencio (Clerk/Victim):**

On 06-21-06 at about 2145 hours I was standing behind the counter when a black male (Described above) entered the store. The suspect asked me if I had change for a five. I opened the cash register. The suspect punched me in the face (Left side of my chin) and lunged up onto the counter. I fell back into a magazine display stand. As I fell back the suspect grabbed the cash till out of the register and fled on foot. My co worker Julius Labian gave chase. I called police. I got a cut on my right thumb during the incident but I'm not sure how it happened. I did not see any weapons. I have never seen the suspect before but I can identify him if I saw him again.

**Statement of Julius Labian (Witness):**

On 06-21-06 at about 2145 hours I was waiting in the store for my girlfriend to pick me up (I had just gotten off of work). The black male (Described above) entered the store and asked for change for a five-dollar bill. When Asencio opened the cash register, the suspect punched Asencio in the mouth, jumped up on the counter and grabbed the till from the register. The suspect fled on foot toward Doliva. I ran after the suspect. I chased the suspect SB Doliva. I stopped chasing after the suspect as he turned to run EB on Kesling (I realized he could have a weapon so for my safety I stopped). I could recognize the suspect if I saw him again.

**Statement of Osama Kata (Witness):**

On 06-21-06 at about 2150 hours I was working security for the California Suites hotel (5415 Clairemont Mesa Bl). I was closing the rear parking lot gate of the hotel that accesses 5400 Kesling St. I saw a full size 2-door white pick-up truck (Possibly a Chevrolet) parked at the SCL 5400 Kesling St facing EB. I saw a black male in the drivers seat (No other description). A few seconds later I saw a dark skinned black male wearing a white hooded sweat shirt and dark pants run past me. The male was holding something against his stomach area. The male said, "Hi" to me then jumped in the passenger seat of the waiting truck. The truck traveled EB Kesling without its headlights on. The police arrived about 2 minutes later then I realized what happened. I'm not sure if I could identify the suspect or the truck if I saw them again, but it is possible.

**EVIDENCE:**

Detective Anschick took custody of the digital photos he took at the scene. Detective Anschick arranged for the owner of the store "Cliff" (619-654-4201, 760-603-9113 or 9114) to give him a copy of the surveillance disc. The employees did not have access to making a copy of the disc. I impounded 13 latent prints (On 7

Reporting Officer D BRECHT	ID # 5807	Division N2	Approved By	Date of Report 06/22/2006	Time 01:07
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Continued Y

Continued From: CRIME	<b>San Diego Regional Officer's Report Narrative</b>				Incident Number 06060049091
Page 9 of 10	City of the information provided will be			Case Number 06060049091	
Code Section And Description (one incident only) PC / 211 / ROBBERY	Date of Report 8/21/2006	Day of Week Wed	Time 21:45	Grade or District	
Location Of Incident (Or Address) 5405 CLAIREMONT MESA BL (am/pm)	City SAN DIEGO			District	Beat 111
Person(s) Involved: Victim Am/Pm.	Requesting agency				
Suspect (If Named) Suspect One	City of San Diego agrees to indemnify and hold				
Property Tag No.(s) see narrative	City of San Diego Police Department and				
	City of San Diego for any liability arising out				
	of the information provided.				

cards) at Northern Division. I impounded the 5-dollar bill in which Asencio said the suspect gave to him for change at Northern Division under tag #980391.

**INJURIES:**

Asencio had a minor cut on his right thumb from the incident and a complaint of pain in his left chin area from where the suspect punched him.

**PROPERTY DAMAGE:**

NONE

**FOLLOW-UP:**

NONE (Detective Anschick will get the surveillance disc from the business).

**RELATED REPORTS:**

NONE

Approved By: Sgt Tom Rizzo #2705

Reporting Officer D BRECHT	ID # 5807	Division N2	Approved By	Date of Report 06/22/2006	Time 01:07
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**Continued Y**



Continued From: CRIME		<b>San Diego Regional Officer's Report Narrative</b>			Incident Number 06060049091	
Page 10 of 10				Case Number 06036662		
Code Section And Description (one incident only) PC / 211 / ROBBERY			Date 6/21/2006	Day of Week Wed	Time 21:45	
Location Of Incident (Or Address) 5405 CLAIREMONT MESA BL (am/pm)				City SAN DIEGO	District	Beat 111
Person(s) involved: Victim Am/Pm,						
Suspect (If Named) Suspect, One						
Property Tag No.(s) see narrative						

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Reporting Officer D BRECHT	ID # 5907	Division N2	Approved By	Date of Report 06/22/2006	Time 01:07
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**COPY**

**Continued Y**



# Application for Advance Permission to Enter as a Nonimmigrant

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

USCIS  
Form I-192  
OMB No. 1615-0017  
Expires 06/30/2018

<b>For DHS Use Only</b>	Received	Returned Trans. Out	<b>Fee Stamp</b>
	Trans. In	Completed	
<b>Action by the Department of Homeland Security</b>			
<input type="checkbox"/> <b>Granted, subject to revocation at any time, upon the following terms and conditions:</b>		<b>Date of Action (mm/dd/yyyy)</b> _____ <b>DD or OIC</b> _____ <b>Office</b> _____	

**To be completed by an attorney or accredited representative (if any)**

<input checked="" type="checkbox"/> <b>Select this box if Form G-28 or Form G-28I is attached.</b>	<b>Volag Number</b> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<b>Attorney State Bar Number (if applicable)</b> 998467	<b>Attorney or Accredited Representative USCIS ELIS Online Number (if any)</b> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
--	--	--	---

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

### Part 1. Application Type

I am applying to the Secretary of Homeland Security for permission to enter the United States temporarily under the provisions of section 212(d)(3)(A)(ii), section 212(d)(13), or section 212(d)(14) of the Immigration and Nationality Act (INA).

I am seeking this permission so that I may obtain (Select **only one** box):

1. A.  Admission as a nonimmigrant (other than as a T or U nonimmigrant)
- B.  Status as a victim of trafficking (T nonimmigrant status) or a victim of a crime (U nonimmigrant status)

### Part 2. Information About You

1. Family Name (Last Name)	Given Name (First Name)	Middle Name
Ascencio Torres	Jose	Diego
2. Alien Registration Number (A-Number) (if any)	3. USCIS Online Account Number (if any)	4. Date of Birth (mm/dd/yyyy)
▶ A- <div style="border: 1px solid black; padding: 2px; display: inline-block;">0 7 9 7 8 8 1 1 6</div>	▶ <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 150px; height: 20px;"></div>	03/22/1987
5. Place of Birth		
City or Town	State or Province	Country
Tlalnepantla De Baz	Mexico	Mexico
6. Country of Citizenship or Nationality		
Mexico		

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

**7. Physical Address**

Street Number and Name <b>4420 LaCrosse Ave</b>	Apt. Ste. Flr. Number <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
City or Town <b>San Diego</b>	State <b>CA</b>	ZIP Code <b>92117</b>
Province	Postal Code	Country <b>USA</b>

**8. Provide the addresses where you have resided during the past five years, starting with the last place you lived prior to your current physical address listed under Item Number 7. If you need extra space to complete this section, use the space provided in Part 7. Additional Information.**

**A. Residence Number 1**

Date of Residence From (mm/dd/yyyy) <b>08/29/2009</b>	To (mm/dd/yyyy) <b>Present</b>	
Street Number and Name <b>4420 LaCrosse Ave</b>	Apt. Ste. Flr. Number <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
City or Town <b>San Diego</b>	State <b>CA</b>	ZIP Code <b>92117</b>
Province	Postal Code	Country <b>USA</b>

**B. Residence Number 2**

Date of Residence From (mm/dd/yyyy)	To (mm/dd/yyyy)	
Street Number and Name	Apt. Ste. Flr. Number <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
City or Town	State	ZIP Code
Province	Postal Code	Country

**C. Residence Number 3**

Date of Residence From (mm/dd/yyyy)	To (mm/dd/yyyy)	
Street Number and Name	Apt. Ste. Flr. Number <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
City or Town	State	ZIP Code
Province	Postal Code	Country

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

**D. Residence Number 4**

Date of Residence From (mm/dd/yyyy)

To (mm/dd/yyyy)

Street Number and Name

Apt. Ste. Flr. Number

City or Town

State

ZIP Code

Province

Postal Code

Country

**Travel Information**

9. Location at which you plan to enter the United States (desired Port-of-Entry)

City

State

10. Name of Port-of-Entry

11. How do you plan to travel to the United States? (For example, by plane, ship, car)

12. When do you plan to enter the United States?

(mm/dd/yyyy)

13. Approximate Length of Stay in the United States

14. What is the purpose of your stay in the United States? Explain fully below.

**Applicant is currently in the United States and is in the custody of ICE**

**Immigration and Criminal History**

15. Do you believe that you may be inadmissible to the United States?

Yes  No

If you answered "Yes," explain the reasons why you believe, according to the best of your knowledge, that you may be inadmissible in **Part 7. Additional Information**. If you were told that you are inadmissible, provide the reason you were given.

16. Have you previously filed an application for advance permission to enter the United States as a nonimmigrant?

Yes  No

If you answered "Yes," provide the details in **Items A. - C.** in **Item Number 17**. If you need extra space to complete this section, use the space provided in **Part 7. Additional Information**.

17. A. Date Application Filed (mm/dd/yyyy)

B. Location where you filed your application (For example, U.S. Citizenship and Immigration Services (USCIS) Office or Port-of-Entry)

USCIS Office or U.S. Port-of-Entry

City or Town

State or Province

Country

C. Receipt Number (if available) ▶

**Part 2: Information About You (continued)**

**NOTE:** If you are an applicant for T nonimmigrant status or a petitioner for U nonimmigrant status, you do not need to answer Item Numbers 18. - 21.

18. Have you EVER been in the United States for a period of six months or more?  Yes  No

If you answered "Yes," provide the dates you were in the United States (from and to) and your immigration status at the time of entry into the United States in the space provided in **Part 7. Additional Information.**

19. Have you EVER filed an application or petition for immigration benefits with the U.S. Government, or has one ever been filed on your behalf?  Yes  No

If you answered "Yes" to Item Number 19, provide the information in the space provided in **Part 7. Additional Information.**

**NOTE:** If you (or somebody else on your behalf) have filed multiple applications or petitions for immigration benefits with the U.S. Government, use the space provided in **Part 7.** to also provide the following information:

- A. Type of application or petition filed;
- B. Location where you (or the other person) filed the application or petition (for example, USCIS office or Port-of-Entry);
- C. Outcome of the application or petition (for example, approved, denied, or is pending)

20. Have you EVER been denied or refused an immigration benefit by the U.S. Government, or had a benefit revoked or terminated (including but not limited to visas)?  Yes  No

If you answered "Yes" to Item Number 20., provide the information in the space provided in **Part 7. Additional Information.**

21. Have you EVER, in or outside the United States, been arrested, cited, charged, indicted, fined, convicted, or imprisoned for breaking or violating any law or ordinance, excluding minor traffic violations? If you answered "Yes," describe the incidents in detail and include all offenses where impaired driving may have been an issue in the space provided in **Part 7. Additional Information.**  Yes  No

**Part 3. Biographic Information**

1. Ethnicity (Select only one box)  Hispanic or Latino  Not Hispanic or Latino

2. Race (Select all applicable boxes)

- White  Asian  Black or African American  American Indian or Alaska Native  Native Hawaiian or Other Pacific Islander

3. Height Feet  Inches  4. Weight Pounds    190

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 4. Applicant's Statement, Contact Information, Certification, and Signature**

**NOTE:** Read the information on penalties in the Penalties section of the Form I-192 Instructions before completing this part.

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

1. Applicant's Statement Regarding the Interpreter

- A.  I can read and understand English, and have read and understand every question and instruction on this application and my answer to every question.
- B.  The interpreter named in Part 5. read to me every question and instruction on this application, and my answer to every question in \_\_\_\_\_, a language in which I am fluent, and I understood everything.

2. Applicant's Statement Regarding the Preparer

- At my request, the preparer named in Part 6., **Pablo A Zamora**, prepared this application for me based only upon information I provided or authorized.

**Applicant's Contact Information**

3. Applicant's Daytime Telephone Number

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

5. Applicant's Email Address (if any)

**Applicant's Certification**

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

I further authorize release of information contained in this application, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I understand that USCIS may require me to appear for an appointment to take my biometrics (fingerprints, photograph, and/or signature) and, at that time, if I am required to provide biometrics, I will be required to sign an oath reaffirming that:

- 1) I reviewed and provided or authorized all of the information in my application;
- 2) I understood all of the information contained in, and submitted with, my application; and
- 3) All of this information was complete, true, and correct at the time of filing.

I certify, under penalty of perjury, that I provided or authorized all of the information in my application, I understand all of the information contained in, and submitted with, my application, and that all of this information is complete, true, and correct.

**Applicant's Signature**

6. Applicant's Signature

*Jose Ascencia*

Date of Signature (mm/dd/yyyy)

➔ Don't forget to sign!

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

**Part 5. Interpreter's Contact Information, Certification, and Signature**

Provide the following information about the interpreter.

**Interpreter's Full Name**

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

**Interpreter's Mailing Address**

- 3. Street Number and Name  Apt.  Ste.  Flr.  Number
- City or Town  State  ZIP Code
- Province  Postal Code  Country

**Interpreter's Contact Information**

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

**Interpreter's Certification**

I certify, under penalty of perjury, that:

I am fluent in English and , which is the same language specified in Part 4, Item B. in Item Number 1., and I have read to this applicant in the identified language every question and instruction on this application and his or her answer to every question. The applicant informed me that he or she understands every instruction, question, and answer on the application, including the Applicant's Certification, and has verified the accuracy of every answer.

**Interpreter's Signature**

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

**Part 6. Contact Information, Declaration, and Signature of the Person Preparing this Application, if Other Than the Applicant**

Provide the following information about the preparer.

**Preparer's Full Name**

1. Preparer's Family Name (Last Name)

Zamora

Preparer's Given Name (First Name)

Pablo

2. Preparer's Business or Organization Name (if any)

**Preparer's Mailing Address**

3. Street Number and Name

1901 First Ave

Apt. Ste. Flr. Number

2nd

City or Town

San Diego

State ZIP Code

CA 92101

Province

Postal Code

Country

USA

**Preparer's Contact Information**

4. Preparer's Daytime Telephone Number

6192064701

5. Preparer's Mobile Number (if any)

6. Preparer's Email Address (if any)

zamora@tipthescalesforme.com

**Preparer's Statement**

7. A.  I am not an attorney or accredited representative but have prepared this application on behalf of the applicant and with the applicant's consent.

B.  I am an attorney or accredited representative and my representation of the applicant in this case  extends  does not extend beyond the preparation of this application.

NOTE: If you are an attorney or accredited representative whose representation extends beyond preparation of this application, you may be obliged to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or G-281, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, with this application.

**Preparer's Certification**

By my signature, I certify, under penalty of perjury, that I prepared this application at the request of the applicant. The applicant then reviewed this completed application and informed me that he or she understands all of the information contained in, and submitted with, his or her application, including the Applicant's Certification, and that all of this information is complete, true, and correct. I completed this application based only on information that the applicant provided to me or authorized me to obtain or use.

**Preparer's Signature**

8. Preparer's Signature

Pablo A. Zamora

Date of Signature (mm/dd/yyyy)

07-11-16



**Part 7. 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. Include your name and A-Number (if any) at the top of every 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

2. A-Number (if any) ▶ A-

3. A. Page Number  B. Part Number  C. Item Number

D. SEE ATTACHED I-192 Document Regarding inadmissibility

4. A. Page Number  B. Part Number  C. Item Number

D.

5. A. Page Number  B. Part Number  C. Item Number

D.

6. A. Page Number  B. Part Number  C. Item Number

D.

## **I-912 Attachment**

Page 3 Part 2 Item 15

Mr. Torres may be inadmissible because of entries without inspection, unlawful status in the U.S. of more than one year and subsequent exit from the U.S. He may also be inadmissible for entry without Waiver or permission to re-enter after prior deportation and/or expedited removal.

Mr. Torres may also be inadmissible based upon his arrested and conviction on December 8, 2006, for possession with intent and convicted under California Health and Safety Code 11359 and jailed. On May 25, 2016, Mr. Torres was arrested for theft, convicted under California Penal Code 487(a) and jailed.



**Request for Fee Waiver**  
**Department of Homeland Security**  
**U.S. Citizenship and Immigration Services**

**USCIS**  
**Form I-912**  
 OMB No. 1615-0116  
 Expires: 04/30/2018

<b>For USCIS Use Only</b>	<b>Application Received At (Select only one box)</b>			
	<input type="checkbox"/> <b>USCIS Field Office</b>	<input type="checkbox"/> <b>USCIS Service Center</b>		
	<input type="checkbox"/> <b>Fee Waiver Approved</b>	<input type="checkbox"/> <b>Fee Waiver Denied</b>	<input type="checkbox"/> <b>Fee Waiver Approved</b>	<input type="checkbox"/> <b>Fee Waiver Denied</b>
	Date: _____	Date: _____	Date: _____	Date: _____

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

**If you need extra space to complete any section of this request or if you would like to provide additional information about your circumstances, use the space provided in Part 11. Additional Information. Complete and submit as many copies of Part 11., as necessary, with your request.**

**Part 1. Basis for Your Request (Each basis is further explained in the Specific Instructions section of the Form I-912 Instructions)**

Select at least one basis or more for which you may qualify and provide supporting documentation for any basis you select. You only need to qualify and provide documentation for one basis for U.S. Citizenship and Immigration Services (USCIS) to grant your fee waiver. If you choose, you may select more than one basis; you must provide supporting documentation for each basis you want considered.

1.  I am, my spouse is, or the head of household living in my household is currently receiving a means-tested benefit. (Complete Parts 2. - 4. and Parts 7. - 10.)
2.  My household income is at or below 150 percent of the Federal Poverty Guidelines. (Complete Parts 2. - 3., Part 5., and 7. - 10.)
3.  I have a financial hardship. (Complete Parts 2. -3. and Parts 6. - 10.)

**Part 2. Information About You (Requestor)**

Provide information about yourself if you are the person requesting a fee waiver for a petition or application you are filing. If you are the parent or legal guardian filing on behalf of a child or person with a physical disability or developmental or mental impairment, provide information about the child or person for whom you are filing this form.

**1. Full Name**

Family Name (Last Name)	Given Name (First Name)	Middle Name
Ascencio Torres	Jose	Diego

**2. Other Names Used (if any)**

List all other names you have used, including nicknames, aliases, and maiden name.

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

- |  |  |
|--|--|
| <p><b>3. Alien Registration Number (A-Number) (if any)</b></p> <p>▶ A- 0 7 9 7 8 8 1 1 6</p> | <p><b>4. USCIS Online Account Number (if any)</b></p> <p>▶</p> |
|--|--|

- |   |  |
|---|--|
| <p><b>5. Date of Birth (mm/dd/yyyy)</b></p> <p>03/22/1987</p> | <p><b>6. U.S. Social Security Number (if any)</b></p> <p>▶</p> |
|---|--|

**Part 2. Information About You (Requestor) (continued)**

7. Marital Status

Single, Never Married  Married  Divorced  Widowed  Marriage Annulled  Separated

Other (Explain)

**Part 3. Applications and Petitions for Which You Are Requesting a Fee Waiver**

1. In the table below, add the form numbers of the applications and petitions for which you are requesting a fee waiver.

Applications or Petitions for You and Your Family Members													
Full Name	A-Number (if any)						Date of Birth	Relationship to You	Forms Being Filed				
	Jose Ascencio To	A-	0	7	9	7				8	8	1	1
	A-												
	A-												
	A-												
<b>Total Number of Forms (including self)</b>													

**Part 4. Means-Tested Benefits**

If you selected Item Number 1. in Part 1., complete this section.

1. If you, your spouse, or the head of household (including parent if the child is under 21 years of age) living with you is receiving any means-tested benefits, list the information in the table below and attach supporting documentation. If you are the parent or legal guardian filing on behalf of a child or person with a physical disability or developmental or mental impairment, provide information about the child or person for whom you are filing this form if he or she is receiving a means-tested benefit.

Means-Tested Benefit Recipients					
Full Name of Person Receiving the Benefit	Relationship to You	Name of Agency Awarding Benefit	Type of Benefit	Date Benefit was Awarded	Date Benefit Expires (or must be renewed)

**Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines**

If you selected Item Number 2. in Part 1., complete this section.

**Your Employment Status**

1. Employment Status

Employed (full-time, part-time, seasonal, self-employed)  Unemployed or Not Employed  Retired  Other (Explain)

in custody - detained

**Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines (continued)**

2. If you are currently unemployed, are you currently receiving unemployment benefits?  Yes  No

A. Date you became unemployed  
(mm/dd/yyyy)

05/05/2016

**Information About Your Spouse**

3. If you are married or separated, does your spouse live in your household?  Yes  No

A. If you answered "No" to Item Number 3., does your spouse provide any financial support to your household?  Yes  No

**Your Household Size**

4. Are you the person providing the primary financial support for your household?  Yes  No

If you answered "Yes" to Item Number 4., type or print your name on the line marked "self" in the table below. If you answered "No" to Item Number 4., type or print your name on the line marked "self" in the table below and add the head of household's name on the line below yours.

Household Size						
Full Name	Date of Birth	Relationship to You	Married	Full-Time Student	Is any income earned by this person counted towards the household income?	
Jose Ascencio Tor	03-22-81	Self	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" 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
			<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	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Total Household Size (including self)</b>					<b>3</b>	

**Your Annual Household Income**

Provide information about your income and the income of all family members counted as part of your household. You must list all amounts in U.S. dollars.

5. Your Annual Income \$ 19,200

6. Annual Income of All Family Members  
Provide the annual income of all family members counted as part of your household as listed in Item Number 4. (Do not include the amount provided in Item Number 5.) \$ 14,400

7. Total Additional Income or Financial Support \$

Provide the total annual amount you receive in additional income or financial support from a source outside of your household. (Do not include the amount provided in Item Numbers 5. or 6.) You must add all of the additional income and financial support amounts and put the total amount in the space provided. Type or print "0" in the total box if there are none. Select the type of additional income or financial support that you receive and provide documentation.

- Parental Support
- Educational Stipends
- Unemployment Benefits
- Financial Support From Adult Children, Dependents, Other People Living in the Household
- Spousal Support (Alimony)
- Royalties
- Social Security Benefits
- Child Support
- Pensions
- Veteran's Benefits
- Other (Explain)

**Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines (continued)**

8. Total Household Income (add the amounts from Item Numbers 5., 6., and 7.)

*no longer employed*

\$ 14,000

9. Has anything changed since the date you filed your Federal tax returns? (For example, your marital status, income, or number of dependents.)  Yes  No

If you answered "Yes" to Item Number 9., provide an explanation below. Provide documentation if available. You may also use this space to provide any additional information about your circumstances that you would like USCIS to consider.

*- LOSS OF employment and in ICE Detention*

**Part 6. Financial Hardship**

If you selected Item Number 3. in Part 1., complete this section.

1. If you or any family members have a situation that has caused you to incur expenses, debts, or loss of income, describe the situation in the box below. Specify the amounts of the expenses, debts, and income losses in as much detail as possible. Examples may include medical expenses, job loss, eviction, and homelessness.

*I am married and together my wife and I have a teenage son. Since I have been incarcerated and then detained by immigration, I have not been able to work for several months. My wife does not make enough money on her own to support our family, let alone to assist in paying for the fees associated with the U Visa Application and Waiver.*

2. If you have cash or assets that you can quickly convert to cash, list those in the table below. For example, bank accounts, stocks, or bonds. (Do not include retirement accounts.)

Assets	
Type of Asset	Value (U.S. Dollars)
<b>Total Value of Assets</b>	

**Part 6. Financial Hardship (continued)**

**3. Total Monthly Expenses and Liabilities**

\$ **1,500**

Provide the total monthly amount of your expenses and liabilities. You must add all of the expense and liability amounts and type or print the total amount in the space provided. Type or print "0" in the total box if there are none. Select the types of expenses or liabilities you have each month and provide evidence of monthly payments, where possible.

- Rent and/or Mortgage     Loans and/or Credit Cards     Other
- Food     Car Payment
- Utilities     Commuting Costs
- Child and/or Elder Care     Medical Expenses
- Insurance     School Expenses

**Part 7. Requestor's Statement, Contact Information, Certification, and Signature**

**NOTE:** Read the Penalties section of the Form I-912 Instructions before completing this part.

Each person applying for a fee waiver request must complete, sign, and date Form I-912 and provide the required documentation. This includes family members identified in Part 3. Signature fields for family members are at the end of this part. If an individual is under 14 years of age, a parent or legal guardian may sign the request on their behalf. USCIS rejects any Form I-912 that is not signed by all individuals requesting a fee waiver and may deny a request that does not provide required documentation.

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

**1. Requestor's Statement Regarding the Interpreter**

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

**2. Requestor's Statement Regarding the Preparer (if applicable)**

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

**Requestor's Contact Information**

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

**Requestor's Certification**

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

I further authorize release of information contained in this request, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I certify, under penalty of perjury, that I provided or authorized all of the information in my request, I understand all of the information contained in, and submitted with, my request, and that all of this information is complete, true, and correct.

**Part 7. Requestor's Statement, Contact Information, Certification, and Signature (continued)**

**WARNING:** If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-912, USCIS will deny your fee waiver request and may deny any other immigration benefit. In addition, you may face severe penalties provided by law and may be subject to criminal prosecution.

**Requestor's Signature**

6. Requestor's Signature

Date of Signature (mm/dd/yyyy)

Don't forget to sign!

*Jose Azencu*

7.8.2016

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

**Family Members' Signatures**

**NOTE:** Each family member must type or print their full name and sign in the spaces below. You can find additional family members' signature spaces in Item Numbers 7. - 10. below. All family members identified in Part 3. must sign and date Form I-912.

I certify that the information provided by the requestor in Part 7. applies to me.

7. Family Member 1

Family Member's Name

TERA Stiles

Family Member's Signature

*Tera Stiles*

Date of Signature (mm/dd/yyyy)

7.8.2016

8. Family Member 2

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)

9. Family Member 3

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)

10. Family Member 4

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)

11. Family Member 5

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)



**Part 8. Family Member's Statement, Contact Information, Certification, and Signature**

**NOTE:** Read the Penalties section of the Form I-912 Instructions before completing this part.

If the information provided by the requestor in Part 7, is not applicable to a family member identified in Part 3, (for example, the family member used an interpreter or speaks a different language) that individual should complete Part 8. USCIS rejects any Form I-912 that is not signed by all individuals requesting a fee waiver.

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

1. Family Member's Statement Regarding the Interpreter for [redacted]
- A.  I can read and understand English, and I have read and understand every question and instruction on this request and my answer to every question.
- B.  The interpreter named in Part 9, read to me every question and instruction on this request and my answer to every question in [redacted], a language in which I am fluent, and I understood everything.
2. Family Member's Statement Regarding the Preparer for [redacted]
- At my request, the preparer named in Part 10., **Pablo A. Zamora, Esq.**, prepared this request for me based only upon information I provided or authorized.

**Family Member's Contact Information**

3. Family Member's Daytime Telephone Number [redacted]
4. Family Member's Mobile Telephone Number (if any) [redacted]
5. Family Member's Email Address (if any) [redacted]

**Family Member's Certification**

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

I further authorize release of information contained in this request, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I certify, under penalty of perjury, that I provided or authorized all of the information in my request, I understand all of the information contained in, and submitted with, my request, and that all of this information is complete, true, and correct.

**Family Member's Signature**

6. Family Member's Signature [redacted] Date of Signature (mm/dd/yyyy) **7.8.2016**
- Don't forget to sign!

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

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

1. Did any person filing this request use an interpreter?  Yes, (complete this section)  No (skip to Part 10.)
2. Was the same interpreter used for all individuals requesting a fee waiver (as listed in Part 3.)?  Yes  No

**NOTE for Family Members:** If you used a different interpreter than the one used by the requestor, make additional copies of Part 9, provide the following information, indicate the family member for whom he or she interpreted, and include the pages with your completed Form I-912.

Provide the following information about the interpreter for

**Interpreter's Full Name**

3. Interpreter's Family Name (Last Name)  Interpreter's Given Name (First Name)

4. Interpreter's Business or Organization Name (if any)

**Interpreter's Mailing Address**

5. Street Number and Name  Apt.  Ste.  Flr.  Number
- City or Town  State  ZIP Code
- Province  Postal Code  Country

**Interpreter's Contact Information**

6. Interpreter's Daytime Telephone Number
7. Interpreter's Mobile Telephone Number (if any)
8. Interpreter's Email Address (if any)

**Interpreter's Certification**

I certify, under penalty of perjury, that:

I am fluent in English and , which is the same language specified in Part 7., Item B. in Item Number 1., and I have read to this requestor in the identified language every question and instruction on this request and his or her answer to every question. The requestor informed me that he or she understands every instruction, question, and answer on the request, including the Applicant's Certification, and has verified the accuracy of every answer.

**Interpreter's Signature**

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

**Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Request, if Other Than the Requestor**

1. Did any person prepare this request on your behalf?  Yes, (complete this section)  No, skip
2. Was the same preparer used for all individuals requesting a fee waiver (as listed in Part 3.)?  Yes  No

**NOTE for Family Members:** If you used a different preparer than the one used by the requestor, provide the following information, and include the pages with your completed Form I-912.

Provide the following information about the preparer for

**Preparer's Full Name**

3. Preparer's Family Name (Last Name)  Preparer's Given Name (First Name)

4. Preparer's Business or Organization Name (if any)

**Preparer's Mailing Address**

5. Street Number and Name  Apt.  Ste.  Flr.  Number
- City or Town  State  ZIP Code
- Province  Postal Code  Country

**Preparer's Contact Information**

6. Preparer's Daytime Telephone Number
7. Preparer's Mobile Telephone Number (if any)
8. Preparer's Email Address (if any)

**Preparer's Statement**

9. A.  I am not an attorney or accredited representative but have prepared this request on behalf of the requestor and with the requestor's consent.
- B.  I am an attorney or accredited representative and my representation of the requestor in this case  extends  does not extend beyond the preparation of this request.

**NOTE:** If you are an attorney or accredited representative, you may be obliged to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or G-28I, Notice of Entry of Appearance as Attorney in Matters Outside the Geographical Confines of the United States, with this request.

**Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Request, if Other Than the Requestor (continued)**

**Preparer's Certification**

By my signature, I certify, under penalty of perjury, that I prepared this request at the request of the requestor. The requestor then reviewed this completed request and informed me that he or she understands all of the information contained in, and submitted with, his or her request, including the Applicant's Certification, and that all of this information is complete, true, and correct. I completed this request based only on information that the requestor provided to me or authorized me to obtain or use.

**Preparer's Signature**

10. Preparer's Signature	Date of Signature (mm/dd/yyyy)
	07-11-16

**Part 11. Additional Information**

If you need extra space to provide any additional information within this request, 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 request or attach a separate sheet of paper. Include 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.

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

2. A-Number (if any) ▶ A-

3. A. Page Number  B. Part Number  C. Item Number

D. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. A. Page Number  B. Part Number  C. Item Number

D. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. A. Page Number  B. Part Number  C. Item Number

D. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. A. Page Number  B. Part Number  C. Item Number

D. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VERIFY DOCUMENT AUTHENTICITY - HOLD UP TO LIGHT & CHECK FOR WATERMARKS - VERIFY DATE AND TIME - VERIFY FROM DARK TOP OF LIGHTER BOTTOM

Garden Fresh Restaurant Corp. dba

**Souplantation & Sweet Tomatoes**

15822 Bernardo Center Drive, Suite A  
San Diego, CA 92127



07/08/2016

D0528120

Void After Six Months

**ADVICE OF DEPOSIT - NON-NEGOTIABLE**

**TEKA STILES**  
4420 LA CROSSE AVE  
SAN DIEGO, CA 92117

HQ2 073

AEA-1-2451

**NON-NEGOTIABLE**

THE ORIGINAL DOCUMENT HAS AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENFORCEMENT.

REMOVE DOCUMENT ALONG THIS PERFORATION

Employee	Emp ID	Social Security	Pay Rate	Reg. Pay Rate	Hours
<b>TEKA STILES</b>					
<b>Code</b>	<b>Position</b>	<b>Division</b>	<b>Department</b>	<b>Job Title</b>	<b>Rate</b>
<b>040000</b>	<b>000000</b>	<b>000000</b>	<b>000000</b>	<b>000000</b>	<b>000000</b>
Earnings	Rate	Pay Units	Contract	Hours To Date	Hours To Date
Regular Pay					11.90
Overtime					
Stat Pay					
Tax (Federal, State)					
<b>Total Gross</b>					<b>119.90</b>
<b>Taxes</b>					
Federal Income Tax					
State Income Tax					
Federal Medicare					
California State Disability					
<b>Total</b>					<b>201.53</b>
<b>Net Pay</b>					
					<b>119.90</b>

**RECEIPT OF PAYMENT FOR : Prime Asset Management**

Friday July 08, 04:39 PM

Teka Stiles  
4420 La Crosse Ave  
San Diego, CA 92117

Contact Info:  
4411 Morena Blvd., Suite 250  
San Diego, CA 92117  
Phone: 858-490-9125

Account Number	2518
Unit Number	4420
Check Number	3151
Payment Date	07/05/2016
Previous Balance	1,100.00
Amount Paid	1,100.00
Balance	0.00

Received By: \_\_\_\_\_

HILLCREST SAN DIEGO  
3911 CLEVELAND AVE  
SAN DIEGO, CA 92103 9998  
056733-7500

(800) ASK-USPS  
07/13/16 12:33PM

Device ID:CTUHXP6G2ZY  
Clerk ID:kxxxxx

Sales Receipt

*Ascencio*

Priority Mail 3 Day  
Priority Mail Flat Rate Envelope  
Sched. Delivery Day Sat 07/16/16  
Label #: 9405511899563001732765  
Dest. ZIP: 05479 *7116/16*  
Includes \$50 Insurance  
Qty: 1 @ \$6.45 \$6.45

Defective Mail

Answer to Specification  
of Charges Exhibit

4

Disciplinary Dkt #2017-D142

exhibitster.com



Pablo A. Zamora, Esq.  
1901 First Avenue, Second Floor  
San Diego, CA 92101  
(619) 206-4701

**ATTORNEY-CLIENT FEE AGREEMENT**

Pablo A. Zamora, Esq. ("Attorney") and Teka Stiles ("Client") hereby agree that Attorney will provide legal services to Client on the terms set forth below.

1. **CONDITIONS.** This Agreement will not take effect, and Attorney will have no obligation to provide legal services, until Client returns a signed copy of this Agreement and pays the FLAT FEE called for under Paragraph 4.

2. **SCOPE OF SERVICES.** You are hiring me as your attorney, to represent you in your Removal Proceedings For Jose Ascencio Torres matter. I will provide whatever legal services are reasonably required to represent you in this matter. I will take reasonable steps to keep you informed of progress and to respond to your inquiries.

**If current representation relates to a non-court action and a court action is filed, Attorney will NOT represent Client unless we have made further plans through a signed retainer agreement for Attorney to represent client in court, through trial and post-trial motions. If this retainer is for a non-court action, this Agreement does not cover representation FOR ANY COURT HEARINGS, MEDIATIONS, COURT APPEARANCES, or on appeal or in execution proceedings after judgment. Separate arrangements must be agreed to for those services. Services in any matter not described above will require a separate written agreement. This agreement does not cover any appeals for court or non-court related issues. An appeal requires a separate written agreement.**

3. **CLIENT'S DUTIES.** Client agrees to be truthful with Attorney, to cooperate, to keep Attorney informed of any information or developments which may come to Client's attention, to abide by this Agreement, to pay Attorney's bills on time, and to keep Attorney advised of Client's address, telephone number and whereabouts. Client will assist Attorney in providing necessary information and documents and will appear when necessary at legal proceedings.

4. **FIXED/FLAT FEE.** Client agrees to pay Attorney a FIXED FLAT FEE of \$ 3,800.00 for Attorney's services under this Agreement.

The fixed fee in due in total by 08-16-16.

A down payment of \$ 3,800.00 (or more) shall be due and payable with the subscription of this agreement before Attorney incurs any obligation to provide services to Client.

By signing this agreement I hereby WAIVE the requirement that the flat fee, given to Pablo A. Zamora, Esq. for work to be performed on my behalf, is to be held in trust. (*Rule 1.15(d) of the D.C. Rules of Professional Conduct*)

[Signature] (client initials)

PAZ (attorney initials)

The FLAT FEE only covers attorney time for the following items:

**IF CASE IS DEFENSE IN REMOVAL PROCEEDINGS:**

Two master calendar hearings (each master calendar hearing is equal to two hours attorney time);  
One ½ day individual hearing (each ½ day individual hearing is equal to 4 hours of attorney time);  
One application/petition for relief (is equal to 4 hours attorney time);  
One legal brief for the related application for relief (is equal to 8 to 10 hours of attorney time);  
Meetings with client set by attorney (each meeting is equal to at least ½ hour of attorney time);  
Motions submitted by attorney (each motion is equal to at least one hour of attorney time)  
Correspondence for case (each correspondence is equal to at least 15 minutes of attorney time); and  
Up to 4 phone calls/emails per month (phone call/email equal to minimum 10 minutes attorney time).

**IF CASE IS USCIS OR CONSULAR BASED:**

Application(s)/petition(s) for immigration benefit (each application/petition equal to 4 hours attorney time);  
Meetings with client set by attorney (each meeting is equal to at least ½ hour of attorney time);  
One legal brief/cover letter related to each application(s)/petition(s) for relief (each legal brief/cover letter is equal to 4 hours of attorney time);  
Correspondence related to case (each correspondence is equal to at least 15 minutes of attorney time);  
Up to 4 phone calls/emails per month (phone call/email equal to minimum 10 minutes attorney time).

Any additional hearings, legal briefs, applications/briefs, phone calls/emails and attorney time for things not covered in the above listings will be billed at an additional \$250.00 per hour. Client hereby agrees to pay this hourly rate should additional hearings, legal briefs, applications for relief, and/or attorney time be required by the court or by client. Attorney has the right to withdraw from representation in the event that client chooses to or cannot pay for the additional attorney time. Client has agreed to this provision and has consented to withdrawal of Attorney in this event or upon breach of agreement by client.

Should Client terminate the attorney-client relationship prior to completion of services, Client will be refunded any unearned portion of the fee. (*Rule 1.16(d) of the D.C. Rules of Professional Conduct*). Should this event occur, the flat fee retainer agreement will convert to an hourly billing retainer agreement. Attorney will bill Client on an hourly basis for all work performed on Client's case at \$250.00 per hour. Any outstanding portion of the flat fee retainer agreement that is remaining will be refunded to client. Should the converted flat fee retainer not cover all of the work performed on Client's case, Client will pay the remainder of that bill to Attorney.

The flat fee charged is based on attorney's experience and time and work anticipated in each case. Should more time and energy be required due to Client's failure to communicate, payment, delivering of documents and information and for other issues that Client uses to stall the completion of the case, then Attorney has the right to convert the flat fee into an hourly billing retainer agreement. Attorney will bill client on an hourly bases for all work performed on client's case at an hourly rate of \$250.00 per hour. Any outstanding portion of the flat fee retainer agreement that is remaining will be refunded to client. Should the converted flat fee retainer not cover all of the work performed on Client's case, Client will pay the remainder of that bill to Attorney.

**Attorney will have earned the following portions of the flat fee retainer agreement on the dates listed below:**

\$ 3,800.00 on the day the retainer agreement is signed by the parties for preparation of the required documents necessary to begin representation and to begin Attorney's services under this Agreement.

\$ \_\_\_\_\_ on the date Attorney submits required paperwork to government/state entities.  
\$ \_\_\_\_\_ on \_\_\_\_\_ as final payment services rendered for Attorney representation and Attorney's services under this Agreement.

If Client does not terminate the attorney-client relationship and Attorney does not withdraw before the completion of the services or otherwise fails to perform services contemplated under this Agreement, the fixed fee will be earned in full and no portion of it will be refunded once any material services have been performed.

5. **COSTS AND OTHER CHARGES.** Attorney may/will incur various costs and expenses in performing legal services under this Agreement. Client agrees to pay for all costs, disbursements and expenses in addition to the flat fee. The costs and expenses incurred commonly include fingerprints charges, passport photos, government fees and other similar items.

It is anticipated that the United States Citizenship and Immigration Services (USCIS)/Immigration Court (IC) or other government agencies shall require the following fees:

**Anticipated Fee Amounts:**

UNKNOWN

No application or submission of documents prepared on the Client's behalf will be made until Client has paid for them in advance. Client agrees to pay any additional costs/fees that may arise, anticipated or unanticipated, during the course of representation.

6. **BILLING STATEMENTS.** Attorney will send Client periodic statements for fees and costs incurred. Each statement will be payable within 20 days of its mailing date. Client may request a statement at intervals of no less than 30 days. If Client so requests, Attorney will provide one within 10 days. The statements shall include the amount, rate, basis of calculation or other method of determination of the fees and costs, which costs will be clearly identified by item and amount.

7. **INTEREST CHARGES.** If a billing statement is not paid when due, interest will be charged on the principal balance (fees, costs, and disbursements) shown on the statement. Interest will be calculated by multiplying the unpaid balance by the periodic rate of .833% per month (TEN PERCENT [10%] ANNUAL PERCENTAGE RATE). The unpaid balance will bear interest until paid.

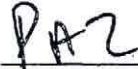
In the event that you fail to pay the required amount billed for and due within 20 days of the date it has been mailed to you, you agree to pay interest at the rate specified above upon the balance of my bill which remains to be paid for each month or portion thereof that said balance remains unpaid. Interest shall continue to accrue on the balance of my bill even if I exercise my right set forth in paragraph 9, to be relieved from representing you.

[Interest may not be compounded without compliance with the California Civil Code, Appendix I, dealing with usury.]

8. **LIEN.** Client hereby grants Attorney a lien on any and all claims or causes of action that are the subject of the representation under this Agreement. The lien will be for any sums owing the Attorney at the conclusion

of services performed. The lien will attach to any recovery Client may obtain, whether by arbitration award, judgment, settlement or otherwise. The effect of such a lien is that Attorney may be able to compel payment of fees and costs from any such funds recovered on behalf of Client's property rights, Client may seek the advice of an independent lawyer of Client's choice before agreeing to such a lien. By initialing this paragraph, Client represents and agrees that Client has had a reasonable opportunity to consult such an independent lawyer and - whether or not Client has chosen to consult such an independent lawyer - Client agrees that Attorney will have a lien as specified above.

 (Client Initials Here)

 (Attorney Initials Here)

9. DISCHARGE AND WITHDRAWAL: Client may discharge Attorney at any time.

9.1. *Discharge and Withdrawal for Good Cause:* Attorney may withdraw with Client's consent or for good cause. Good cause includes Client's breach of this Agreement, refusal to cooperate or to follow Attorney's advice on a material matter or any fact or circumstance that would render Attorney's continuing representation unlawful or unethical. When Attorney's services conclude, all unpaid charges will immediately become due and payable. Client consents to the withdrawal of Attorney upon Client's breach of this Agreement. In which case, upon Attorney request, Client agrees that he/she/they/it will execute a Motion to Withdraw as Counsel, or any other required paperwork, which shall relieve Attorney from representing Client in this matter. If Client refuses to execute a Motion to Withdraw as Counsel or other required paperwork for Attorney to be relieved as attorney of record, Attorney may then submit the previously signed Consent to Withdrawal of Attorney and apply to the Court or other government agency to be relieved from representing Client.

**Client agrees to timely return phone calls and respond to emails (based on the agreed form of communication). Client agrees to inform attorney of an address and/or phone call change within 48 hours. Client agrees, but for emergencies, to advise of the need to reschedule appointments no less than 24 hours before the appointment. Client agrees to timely provide requested documents to avoid the need to seek repeated delays in a pending case. Failure to cooperate with the attorney, at the sole discretion of the attorney, will result in termination of this agreement, and if there is a pending court proceeding, a motion to withdraw.**

9.2. *Withdrawal for Non-payment or No Agreement on Fees:* Client agrees to allow Attorney to withdraw in the event that Client fails to pay Attorney within 15 days of billing sent to Client for all the legal fees, costs and charges due payable that billing cycle, described and pursuant to paragraphs 5, 6, and 7. In which case, upon Attorney request, Client agrees that he/she/they/it will execute a Motion to Withdraw as Counsel, or any other required paperwork, which shall relieve me from representing you in this matter. Client further agrees that in the event that Client fails to pay required billed for services due within 15 days of submission to Client for all the legal fees, costs and charges due, described and pursuant to paragraphs 5, 6, and 7, and Client refuses to execute a Motion to Withdraw as Counsel or other required paperwork for Attorney to be relieved as attorney of record, Attorney may then submit the previously signed Consent to Withdrawal of Attorney and apply to the Court or other government agency to be relieved from representing Client.

9.3. *Payment of Fees from Security Deposit/Any amounts held in Trust or Business Accounts:* When Attorney's services conclude either due to discharge or withdrawal, Client agrees that all unpaid charges shall immediately become due and payable and that Attorney may withdraw from the security deposit, down payment or any other payments made towards case, held in trust, or any other accounts, an amount equal to the amount which you then owe to me pursuant to paragraphs 5, 6, and 7, of this Agreement

including interest and including charges for the time expended in obtaining the court order to be relieved from representing you.

- 9.4. *Return of Property:* After Attorney's services conclude, Attorney shall, upon request of Client, deliver Client's file to Client, along with any remaining security deposits, down payments, remaining retainer monies, funds, or property belonging to Client which remains in Attorney's possession. It is our policy to only retain files for 30 days after services conclude. After that time only an electronic copy is kept. It is Client's responsibility to ask for the return of any original documents or documents in Attorney's possession that Client wants returned.

Notwithstanding Attorney's withdrawal or Client's notice of discharge, and without regard to the reasons for the withdrawal or discharge, Client will remain obligated to pay Attorney for all costs incurred prior to the termination and, in the event that there is any net recovery obtained by Client after conclusion of Attorney's services, Client remains obligated to pay Attorney for the reasonable value of all services rendered from the effective date of this Agreement to the date of discharge.

Upon discharge or withdrawal, attorney will do an accounting of all work performed in the case based on an hourly rate of \$250.00 per hour. Should the total of all work performed in the case be less than the current balance of the flat fee paid to date, attorney will refund remaining unearned flat fee amount minus costs and expenses owed to attorney.

10. **CONCLUSION OF SERVICES.** When Attorney's services conclude, all unpaid charges will immediately become due and payable. Attorney is authorized to use any funds held in Attorney's trust account as a deposit against costs to apply to such unpaid charges. After Attorney's services conclude, upon request, Client's file and property will be delivered to Client, or Client's other attorney, whether or not Client has paid any fees and/or costs owed to Attorney.

11. **REASONABLE ATTORNEY'S FEES AND COSTS:** Client agrees that in the event that Attorney is required to institute a proceeding to collect Attorney's fees and the costs that Attorney has expended on behalf of Client or have become obligated to pay on Client's behalf that Client shall pay in addition to any amounts found to be owing such additional sums as the tribunal shall deem reasonable for attorney's fees and court costs.

12. **DISCLAIMER OF GUARANTEE AND ESTIMATES.** Nothing in this Agreement and nothing in Attorney's statements to client will be construed as a promise or guarantee about the outcome of the matter. Attorney makes no such promises or guarantees. Attorney's comments about the outcome of the matter are expressions of opinion only. Any estimate of fees given by Attorney shall not be a guarantee. Actual fees may vary from estimates given.

13. **ENTIRE AGREEMENT.** This Agreement contains the entire agreement of the parties. No other Agreement, statement, or promise made on or before the effective date of this Agreement will be binding on the parties.

14. **SEVERABILITY IN EVENT OF PARTIAL INVALIDITY.** If any provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

15. **MODIFICATION BY SUBSEQUENT AGREEMENT.** This Agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them, or any oral agreement only to the extent that the parties carry it out.

16. **EFFECTIVE DATE.** This Agreement will govern all legal services performed by Attorney on behalf of Client commencing with the date Attorney first performed services. The date at the beginning of this Agreement is for reference only. Even if this Agreement does not take effect, Client will be obligated to pay Attorney the reasonable value of any services Attorney may have performed for Client.

17. **ARBITRATION**

**A. ARBITRATION OF ALL DISPUTES INCLUDING CLAIMS OF MALPRACTICE**

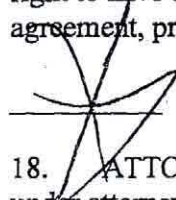
Any controversy between the parties regarding their construction, application or performance of any services under this Agreement, and any claim arising out of or relating to this Agreement or its breach, shall be submitted to binding arbitration upon the written request of one party after the service of that request on the other party. The parties shall appoint one person or agree upon a 3-person panel to hear and determine the dispute. If the parties cannot agree, then the Superior Court of California, San Diego County shall choose an impartial arbitrator whose decision shall be final and conclusive on all parties. Attorney and Client shall each have the right of discovery in connection with any arbitration proceeding in accordance with California Code of Civil Procedure Section 1283.05. The parties shall bear their own legal fees and costs for claims. The sole and exclusive venue for the arbitration and or any legal dispute, shall be San Diego County, California.

**B. STATE BAR FEE ARBITRATION**

Notwithstanding subparagraph A above, in any dispute subject to the jurisdiction of the State of California over attorney's fees, charges, costs or expenses, Client has the right to elect arbitration pursuant to the fee arbitration procedures of the State Bar of California, as set forth in California Business and Professions Code Section 6200, *et seq.* Those procedures permit a trial after arbitration, unless the parties agree in writing, after the dispute has arisen, to be bound by the arbitration award. If, after receiving a notice of client's right to arbitrate, Client does not elect to proceed under the State Bar fee arbitration procedures, and file a request for fee arbitration within 30 days, any dispute over fees, charges, costs or expenses, will be resolved by binding arbitration as provided in the previous subparagraph A.

Because each party is giving up a right, Client is encouraged to have an independent lawyer of Client's choice to review these arbitration provisions before agreeing to them.

By initialing below, Client and Attorney confirm they have read and understand subparagraph A and B above, and voluntarily agree to binding arbitration. In doing so, Client and Attorney voluntarily give up important constitutional rights to trial by judge or jury, as well as rights to appeal. Client is advised that Client has the right to have an independent lawyer of Client's choice review these arbitration provisions, and this entire agreement, prior to initializing this provision or signing this Agreement.

 (Client initial Here)

 (Attorney initial here)

18. **ATTORNEY-CLIENT CONFIDENTIALITY:** The information relating to client's case is protected under attorney-client confidentiality. An exception to attorney-client confidentiality is a dispute between attorney and client.

**THE PARTIES HAVE READ AND UNDERSTOOD THE FOREGOING TERMS AND AGREE TO THEM AS OF THE DATE ATTORNEY FIRST PROVIDED SERVICES. IF MORE THAN ONE CLIENT SIGNS BELOW, EACH AGREES TO BE LIABLE, JOINTLY AND SEVERALLY, FOR ALL OBLIGATIONS UNDER THIS AGREEMENT. CLIENT SHALL RECEIVE A FULLY EXECUTED DUPLICATE OF THIS AGREEMENT.**

I/We have read and understood the foregoing terms and agree to them, as of the date that Pablo A. Zamora, Esq., first provides services. If more than one party signs below, we each agree to be liable, jointly and severally, for all obligations under this agreement.

Dated: 8/19/2016 Teka Stiles  
Client

4420 La Crosse SD CA 92117  
Address City, State, Zip

858-752-8047  
Telephone #:

tekestilz@sbcglobal.net  
E-mail address:

Dated: 08-16-16 Pablo A. Zamora  
PABLO A. ZAMORA, ESQ.

\*Pablo Zamora is licensed in Washington D.C. and practices Federal Immigration Law throughout the U.S.\*  
\*Malpractice Insurance not provided for/under this agreement\*

# REGULATION COUNSEL

The District of Columbia Bar's Department of Regulation Counsel offers confidential programs and services that provide prospective direction, guidance and assistance to attorneys and their clients. All of the services are free or low-cost.

<p style="text-align: center;"><b>Practice Management Advisory Service</b></p> <p>Offers assistance to Bar members on a wide range of management issues including office technology, client communication and relations, financial management, business planning, and office systems and procedures.</p> <p style="text-align: center;">Call the Management Resource Line at 202-737-4700, ext. 3212 or 3217 <a href="http://www.dcbar.org">www.dcbar.org</a> Site Search: PMAS Email: <a href="mailto:pmas@dcbar.org">pmas@dcbar.org</a></p>	<p style="text-align: center;"><b>Legal Ethics</b></p> <p>Issues opinions interpreting the rules of Professional Conduct. As a service to members, ethics counsel staff are available to respond to telephone inquiries on legal ethics issues.</p> <p style="text-align: center;">Call 202-737-4700, ext. 3231 or 3232 <a href="http://www.dcbar.org">www.dcbar.org</a> Site Search: Ethics Email: <a href="mailto:ethics@dcbar.org">ethics@dcbar.org</a></p>
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12:46



Teka Stiles

Ok ill be right out

Aug 19, 2016, 11:12 AM

Happy friday!  
Have u had a chance to find the receipt #?

Aug 22, 2016, 1:31 PM

Excuse me 450645 it's the same number for the u visa and waiver

because I have not received any other notification

Ok thnx pablo i thought u forgot:)

Aug 22, 2016, 2:39 PM

Sorry to bug u again but the receipt #was just for the waiver which it says fees were waived but the u visa itself?

Aug 22, 2016, 4:06 PM



12:47



Teka Stiles >

Sorry to bug u again but the receipt #was just for the waiver which it says fees were waived but the u visa itself?

Aug 22, 2016, 4:06 PM

Disregard that text:)

Aug 25, 2016, 12:23 PM

Any idea what day ur planning to meet jose?  
He asked me if i knew

Monday around 9 a.m. I scheduled it on my calendar. I was going to go see him tomorrow but my two court hearings scheduled for tomorrow have not been continued even though I made the request weeks ago.

Ok I'll tell him hood luck with court:) have a good weekend



12:47



Teka Stiles

Ok I'll tell him hood luck with court:) have a good weekend

Thank you. It doesn't help that I have a sinus infection - Darn allergies

Bummer feel better

Thank you

Aug 29, 2016, 12:51 PM

I saw Jesse. I deposited 20 into his phone account. Let him know when you next speak to him

Will do how'd it go?  
U feeling better?

Aug 30, 2016, 10:31 AM

It was productive. He is doing ok in there. Keeping himself out of trouble.



Text Message



12:47



Teika Stiles

I am feeling better though my allergies are still driving me crazy

(1/2) Im sorry 2 hear that

I've not spoken with him yet I know you said 6 months but please try to get him out I mean he said that people were getting out wit

(2/2) h ankle monitors that had worst crimes I know we can't compare cases but try 2 get him out please

It's not just the crimes that is the problem. He is mandatory detention because he has a prior order of removal. So he can't get a bond hearing for 6 months. But ICE still has the authority to release him on their own. I'm preparing that request

Thank you for trial I really



Text Message



12:47



Teka Stiles

Thank you for trying! I really really appreciate it

Sep 1, 2016, 9:43 AM

Hi pablo,  
Jose is mailing that packet 2 u  
today he's not sure about a few  
answers I'll get them 4 u

Perfect. I need clarification  
on any answers we can discuss  
them

Ok thnx

Sep 7, 2016, 9:04 AM

(1/3) Good morning Pablo,  
I got all the answers that I think  
are missing from his application  
also he had mentioned to me  
that you might need a picture  
of my so

(2/3) n and myself? I got those  
if you need them. and he was  
saying that judged depallo I



Text Message



12:47



Teka Stiles

(2/3) n and myself? I got those if you need them. and he was saying that judged depallo I believe is her name is giving Bonds and he wanted to know what u t

(3/3) hink about switching judge's?what did u decide about your approach or did u yet?

Sep 7, 2016, 10:55 AM

We don't get to switch judges. The only time we change judges is if he gets released. When it comes to bond hearings lots of different judges do those hearings. When he is eligible for his bond hearing I try my hardest to schedule in front of de paulo

Sep 12, 2016, 10:47 AM

(1/2) Hi Pablo I mailed you the new copy of our sons birth certificate and the two pictures



Text Message





Teka Stiles >

(1/2) Hi Pablo I mailed you the new copy of our sons birth certificate and the two pictures just in case you need them and also the answers that we're missing f

(2/2) rom his application

Ok thank you

Sep 19, 2016, 8:15 AM

(1/2) Hi pablo,  
Did u receive the new copy birth certificate?  
How long do u think it will take ice to respond to your letter?  
Can u do a consultation on the ph

(2/2) one? Or do u need the person to go to your office?it's my coworker

Sep 19, 2016, 10:22 AM

I can do a phone consult but



Text Message





Teka Stiles >

Sep 19, 2016, 10:22 AM

I can do a phone consult but prefer in person. I'll be contacting ICE this week

Her name is celia i will give her your # and thanx!

U r welcome

Sep 26, 2016, 8:49 AM

Good morning Pablo  
Any news from ice? Jose said that bonds are at an all time low because of overcrowding

Sep 26, 2016, 11:47 AM

I spoke to his officer assigned to his case and he will give me a decision by Wednesday regarding whether to parole or bond out Jose. Keep in mind that even though bonds are at an all time low right now, Jose doesn't qualify because he is subject to mandatory detention



Text Message







Teka Stiles >

Sep 26, 2016, 11:47 AM

I spoke to his officer assigned to his case and he will give me a decision by Wednesday regarding whether to parole or bond out Jose. Keep in mind that even though bonds are at an all time low right now, Jose doesn't qualify because he is subject to mandatory detention based in his prior removal order. The bonds he is referring to that are low are for individuals who are not subject to mandatory detention

Ok thnx! He just wanted me to tell you the co told him about low bond's for when it's time. thanx for all u do to help me!

My pleasure

Sep 28, 2016, 12:05 PM

Any word yet?

Text Message

Camera, App Store, App Store, App Store, Apple Pay, App Store, App Store, App Store, App Store



Teka Stiles >

Sep 28, 2016, 12:05 PM

Any word yet?

Sep 29, 2016, 9:57 AM

I've left him two voice messages since yesterday

Ugh! Ya Mr Meraz never returns mine either!  
Thanx for trying

Sep 30, 2016, 9:39 AM

Hi Pablo is there going to be court on the 19th? Or are you going to continue because I want to ask 4 the day off if we're going

I filed a motion to continue . Decision by judge has not been made yet

Ok

Oct 3, 2016, 8:05 AM



Text Message





Teka Stiles >

Oct 3, 2016, 8:05 AM

Gm. R u able to try Mr Meraz this morning?

Oct 4, 2016, 1:13 PM

Left him two messages this week already

On his personal voicemail? Or the general voicemail I think it's very rude of him that he said he would have an answer for us by Wednesday last week

His personal voice mail

Ok,thnx pablo for workin on it!

Oct 6, 2016, 12:44 PM

(1/3) Hi Pablo 2 things my coworker Celia Martinez she called you to set up a consult and I know you're busy but she's wanted to know if you got her message. a

Text Message input field with camera, app store, and send icons





Teka Stiles >

(2/3) nd about my husband case if u get a continuation there would not be court on October 19th correct? What are we going to do about mr. Meraz not returning y

(3/3) our call?

What is her number so that she called from?

Celia  
Mobile (858) 886-6723

Oct 6, 2016, 5:16 PM

I don't see her number or a message from that number on my phone call log

She said she called from her home # she's going to call u again from cell she said

Have text me I'm driving



Text Message





Teka Stiles >

Ok

Oct 7, 2016, 10:21 AM

Hearing is rescheduled to December 7, 2016 at 1 pm

I texted your friend at the cell number you gave me for her as I'm in court today. In case she asks you if I have responded to her phone call

@cca or downtown?  
And my son and i can go right?  
I left vm for mr meraz today

Ok she's at work with me I'll tell her she asked if u could calk her today after 4pm?

He will be at CCA but the judge will most likely be downtown

Ok so we go dtown

Oct 7, 2016, 1:40 PM



Text Message



12:49



Teka Stiles >

Just spoke to mr meraz hes going to call u right now he said

Oct 11, 2016, 3:49 PM

Your friend and I are playing phone tag. Does she have an email address? Or do you want to set a consultation for her?

Oct 18, 2016, 9:54 AM

(1/2) Good morning Pablo  
When we go 2 court r u downtown with me or cca with him?  
Also his 6mos is 12/24 can we ask 4 bond hearing in nov?  
How long u think it t

(2/2) akes 2 get scheduled n c what judge??

Oct 18, 2016, 2:06 PM

It's downtown. He will appear via video. He should automatically be issued a bond



Text Message



12:49



Teka Stiles >

Oct 15, 2016, 2:06 PM

It's downtown. He will appear via video. He should automatically be issued a bond hearing as it gets closer to his 6 month detention.

OK and they will notify you automatically? And if you don't like the judge what do we do reschedule ?

It will most likely be the same judge

Really! Well we use your best judgment obviously

Oct 18, 2016, 6:56 PM

Pablo r u available 2 answer tomorrow @6pm  
My husband has been trying to reach you and can we meet anytime this week?

Oct 19, 2016, 2:10 PM



Text Message



12:49



Teka Stiles >

Oct 18, 2016, 2:10 PM

I only go start appointments from 9 am to 11:30 am and 1 pm to 2:30 pm. My schedule is full tomorrow. What questions do you need answered?

(1/5) I know u r busy but I'd like to be involved each step i never heard back about the letter u composed for ice? have u decided ur game plan yet ? you asked

(2/5) me 2 paid u in advance to have extra time to prepare. It's my understanding that the bond hearing will need to be scheduled by u and 2 days later u c wh

(3/5) at judge if its not the right judge we can reschedule i need u to b aggressive please do ur best to get him out I just want to make sure we're on the same



Text Message





12:49



Teka Stiles

(4/5) page our family is depending on you. R u able to answer my husband's call @6? Also is there some things we need to prep for bond hearing? thank you in ad

(5/5) vance

Oct 21, 2016, 1:19 PM

I assure you we are diligently working on your husband's case. Keep in mind his hearings are not until December. I have other more pressing matters and court hearings that I'm dealing with in other cases currently.

I contacted his ICE officer non stop over the last several weeks... he said they lost my original request I sent them so he asked me to email it to him to ensure he receives it. I did as he requested. Since that time he has not returned my



Text Message



12:50



Teka Stiles

Oct 21, 2018, 1:19 PM

I assure you we are diligently working on your husband's case. Keep in mind his hearings are not until December. I have other more pressing matters and court hearings that I'm dealing with in other cases currently.

I contacted his ICE officer non-stop over the last several weeks. He said they lost my original request I sent them so he asked me to email it to him to ensure he receives it. I did as he requested. Since that time he has not returned my additional calls.

We will discuss the bond hearing in mid-November. I have the majority of stuff needed in the file already for that hearing. Regarding choice of judge, depending on who it is assigned to, will determine if we can request a different day.



Text Message



12:50



Teka Stiles >

We will discuss the bond hearing in mid November. I have the majority of stuff needed in the file already for that hearing. Regarding choice of judge, depending who it is assigned too, will determine if we can request a different day and time (in essence we are forum shopping). We are always aggressive at bond hearings but the judges are often unpersuaded in cases where the person has a criminal conviction and prior removal order. Even if the judge sets a bond for him, DHS can appeal that decision. Or the judge may set a bond so high that it is unaffordable for him and you to pay.

I do not have my office phone with me when it's after work hours. We are generally open Monday through Friday 9 am to 4 pm. I was not available at 6 pm to take his call.



Text Message



12:50



Teká Stiles

Thank you for getting back to me Pablo

Nov 4, 2016, 7:41 AM

(1/2) Gm.  
Do u think it would be possible for me to speak with the judge on court day? I have letters of support with id,he wrote a letter to judge also i can i

(2/2) f u think it would help.

Nov 4, 2016, 3:12 PM

(1/3) Sorry to bother u again  
Just wanted to tell u my husband tried to call u  
He has some questions he wants me to relay to u  
#1 he wants to know if we're g

(2/3) oing to be able to ask for the bond hearing on the day of the master calendar? #2he wants to know if we have all the things prepared for bond hearing read



Text Message



12:50



Teka Stiles >

(2/3) oing to be able to ask for the bond hearing on the day of the master calendar? #2he wants to know if we have all the things prepared for bond hearing read

(3/3) y? # 3 he says he does not want mc sevendy as his judge #4 when do you think we'll know something about the U Visa?

Nov 7, 2016, 12:17 PM

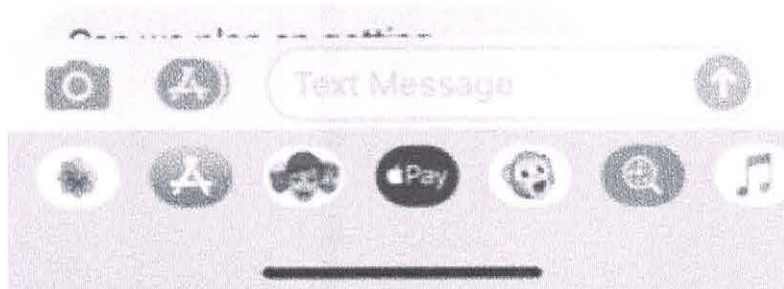
Response sent via email

The letters of support are hand-written is that okay with you or do you want them typed?

Nov 8, 2016, 11:16 AM

Written is fine if they are legible

Nov 15, 2016, 7:29 AM



12:50



Teka Stiles

Nov 15, 2016, 7:23 AM

Can we plan on getting together before Thanksgiving?

Nov 16, 2016, 1:05 PM

Tuesday at 10 or 11 am. Which do you prefer?

Are those ur only spots?  
If so I'll do 11am

Yes as the office closes at noon for the remainder of the holiday week.

Wow lucky u! c u @ 11 then thanx

Nov 17, 2016, 7:33 PM

(1/2) Hey fyi,  
After all this time today the gang unit decided to take pix of him they said they're going to give them 2 ice so he can't get a bond! he has no



Text Message



12:51



Teka Stiles >

(1/2) Hey fyi,  
After all this time today the  
gang unit decided to take pix of  
him they said they're going to  
give them 2 ice so he can't get  
a bond! he has no

(2/2) gang affiliation never has  
had,has no gang related  
charges. just likes tattoo's this  
is racial profiling right? What do  
we do

Nov 18, 2016, 12:07 PM

The judge makes the bond  
decision not ICE. It's not racial  
profiling if they believe certain  
tattoos are gang affiliated. We  
can discuss this on Tuesday

That's just nonsense after all  
this time that they choose now  
to do this he has an SD on his  
arm that's what they're talking  
about

Nov 21, 2016, 10:22 AM



Text Message



12:51



Teka Stiles

Nov 21, 2016, 10:27 AM

Need to reschedule tomorrow's too busy at work what's your availability after the holiday?

Nov 21, 2016, 11:50 AM

December 1st or 2nd

Are you available December 1st at noon or 1230?

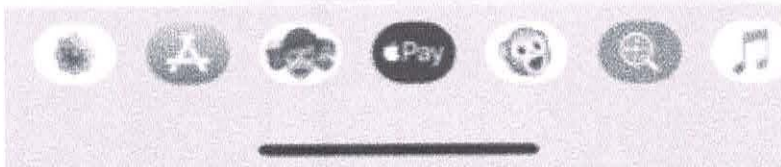
yes December 1st at 12:30 pm  
11/21/16

Perfect! have a wonderful Thanksgiving

Nov 29, 2016, 12:16 PM

Pablo, today when u have the time can u plz tell me what ice is charging My husband with he didn't receive a copy only u did.thanx

That he is removable pursuant





12:51



Teka Stiles

That he is removable pursuant to 241(a)(5) of the Immigration Nationality Act based on a prior order of removal

Pablo does that mean that ultimately nothing that we try will work? I just looked up the definition of what you told me the charge was

No that doesn't mean anything

Dec 6, 2016 10:52 AM

(1/2) Good morning u said u would start the bond process early right? Also did i send u the new copy of our sons birth certificate? And I just wanted to say tha

(2/2) nk you for calming my crazy brain on Thursday

Dec 6, 2016, 1:32 PM

I will need to check regarding



Text Message



12:51



Teka Stiles >

Dec 6, 2016, 1:32 PM

I will need to check regarding the new copy of birth certificate. Bond hearing is set for January 4th at 8 am

Ok thank you and i got my 2015 taxes for u when do u see who is the judge? And u will let me know if the 28th gets rescheduled?

We won't know what judge until about a week before. I will let you know about the 28th

Dec 9, 2016, 1:11 PM

(1/2) Pablo hi, can you please reschedule his bond hearing bond judge is Robert Mc sevendy the judge that we cannot have! Also my mom wishes to attend she's co

(2/2) ming from Az won't make it that day. please and thank



Text Message



12:51



Teka Stiles >

Ok thank you and i got my 2015 taxes for u when do u see who is the judge? And u will let me know if the 28th gets rescheduled?

We won't know what judge until about a week before. I will let you know about the 28th.

Dec 9, 2016, 1:11 PM

(1/2) Pablo hi, can you please reschedule his bond hearing bond judge is Robert Mc sevendy the judge that we cannot have! Also my mom wishes to attend she's co

(2/2) ming from Az won't make it that day. please and thank you

Dec 11, 2016, 7:28 PM

Please schedule the bond for any day except Monday or Wednesday



Text Message



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**Subject:** Ascencio Torres Case - Officer Marris 619-661-3833  
**From:** zamora@tipthescalesforme.com  
**Date:** Mon, Sep 26, 2016 11:49 am  
**To:** zamora@tipthescalesforme.com

Call Officer Marris on Tuesday afternoon regarding bond/parole request. He said he did not see it in file but was going to check with the mail room. I told him we sent it over two weeks ago with a priority mail receipt as proof of delivery.

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

1901 First Avenue, 2nd Floor  
San Diego, CA 92101  
phone: (619) 206-4701  
email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)  
website: [www.tipthescalesforme.com](http://www.tipthescalesforme.com)

\*Licensed in the District of Columbia. Practicing Federal Immigration Law in the State of California.\*

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Answer to Specification  
of Charges Exhibit

7

Disciplinary Dkt #2017-D142

exhibitster.com

[Print](#) | [Close Window](#)**Subject:** Re: master hearing coverage**From:** Isabel Duarte <isabel@isabelduartelaw.com>**Date:** Mon, Oct 24, 2016 7:42 am**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

Yes—I can cover

Sent from my iPhone

On Oct 22, 2016, at 12:22 PM, "zamora@tipthescalesforme.com" &lt;zamora@tipthescalesforme.com&gt; wrote:

Are you available to cover an initial master calendar hearing on December 7, 2016 at 1 p.m. Client is detained but case is in front of Judge Bither in downtown SD. He will be appearing via video conference from CCA-East Mesa. It's his first master calendar. Basically he is only eligible to apply for Withholding of Removal/CAT relief as he has a prior order of removal but he had a positive reasonable fear interview when he was apprehended a few months ago. Additionally, he has a U Visa pending at USCIS. So that may be another form of relief. I'm in Arizona that week so I am unavailable to attend.

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

1901 First Avenue, 2nd Floor

San Diego, CA 92101

phone: (619) 206-4701

email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)website: [www.tipthescalesforme.com](http://www.tipthescalesforme.com)

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**Subject:** re jose diego ascencio  
**From:** teka stiles <tekastiles@sbcglobal.net>  
**Date:** Thu, Dec 01, 2016 9:19 pm  
**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>  
**Attach:** Dear Honorable Judge,.pdf

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**Subject:** jose diego ascencio

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Thu, Dec 01, 2016 9:19 pm

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

**Attach:** Dear Judge,.pdf

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**Subject:** jose diego ascencio

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Thu, Dec 01, 2016 9:20 pm

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

**Attach:** Dear Honorable Judge,.pdf

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**Subject:** Fw: this is the id for the letter

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Thu, Dec 01, 2016 9:21 pm

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

**Attach:** 20161021\_171826.jpg

Sent from Yahoo Mail on Android

On Fri, Nov 4, 2016 at 4:59 PM, teka stiles <tekastiles@sbcglobal.net> wrote:



Sent from Yahoo Mail on Android

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**Subject:** SKMBT\_C25316101908580.pdf

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Thu, Dec 01, 2016 9:22 pm

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

**Attach:** SKMBT\_C25316101908580.pdf

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**Subject:** JOSE DIEGO ASCENCIO

**From:** Teka <tekastiles@sbcglobal.net>

**Date:** Wed, Dec 07, 2016 6:21 pm

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

**Attach:** img002.jpg

img001.jpg

Hello Pablo,  
Here is my 2015 w2 and the new birth certificate  
Of our son  
Thank you

Sent from [Mail](#) for Windows 10

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[Print](#) | [Close Window](#)

**Subject:** Re: Regarding Bond Hearing

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Tue, Dec 13, 2016 1:12 pm

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

Hi pablo,

I have spoke with many lawyers/ wives of detainees they've changed the date many times to ensure the best outcome of their client I told u when we met that that judge will not work not to mention u knew what day not to request bond and that was exactly what u did ! You told me you'd ask what day depallo  
Did bonds and say that was your available day  
She does them on tue and all the ppl that go in front of her have had success. Not one person that other judge sees has success I get the feeling you are not fighting for us and I gave u money to be on our side this is not just a job its peoples lives and I chose u because I heard good things about u. I need him to get a bond and come home can u please reschedule the bond hearing to give me better chances also there's more than 15 days before the hearing date, u told me the mandatory det was only 6 month's then they have to give him a bond hearing can u please do your best to get the best outcome for us.

Also isn't he's only in withholding only because you haven't filed papers yet? that is what you told me when we met

Sent from Yahoo Mail on Android

On Tue, Dec 13, 2016 at 12:21 PM, zamora@tipthescalesforme.com <zamora@tipthescalesforme.com> wrote:

I received your message regarding the bond hearing. It is not so simple to change that hearing date. A motion would have to be filed with the court at least 15 days prior to the bond hearing date. If the judge decided to approve the motion a new bond hearing date would be set out most likely in February or March 2016. Even if we got a different judge there is no guarantee they would issue a bond. Some of the judges are alleging they have no jurisdiction over bond when the Respondent is in withholding only proceedings, such as in Jose's case,

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

1901 First Avenue, 2nd Floor

San Diego, CA 92101

phone: (619) 206-4701

email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)

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**Subject: RE: Regarding Bond Hearing**

**From: teka stiles <tekastiles@sbcglobal.net>**

**Date: Fri, Dec 16, 2016 11:19 am**

**To: "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>**

That's fine Pablo,  
Thanx for what u did to this point.  
Please provide detailed account for the \$3,800  
I gave u to work on his assylum case  
Sent from Yahoo Mail on Android

On Fri, Dec 16, 2016 at 9:55 AM, zamora@tipthescalesforme.com  
<zamora@tipthescalesforme.com> wrote:

First off, not everyone's case is the same. So when you talk to all these other lawyers/wives of detainees, the information they give you does NOT always apply to everyone else's case. I've repeatedly told you this before. Your continued assertions about how Jose's case is like everyone else's is really beginning to irritate me. Especially because I have bent over backwards to make accommodations for you and him in his case.

When I contacted the Court to set up his bond hearing the Clerk's did not yet have a schedule of what days what judges were doing bond hearings in January. The earliest date they had available for a bond hearing was January 4, 2017 and that's the day he was scheduled one for because it the first available. I could have waited a week or two to see what Judges were doing bond hearings in January but waiting another week or two would have made his bond hearing set in February or March of 2017. His removal case could be decided way before then by Judge Bither. I was also told by the Clerks that Judge De Paolo was retiring in the new year so there was no guarantee even if I found a day she typically does bond hearings that she would still be there to conduct the hearing. Mandatory detention is six months and then a bond hearing must be given to him. Because his case is a withholding of removal only case (due to his prior deportation and subsequent illegal re entry), some judges are alleging they do not have jurisdiction to give the bond. So just because we get a bond hearing, regardless of what judge, there is no guarantee as to the outcome of that hearing.

Your feelings of me not fighting for you and Jose is misplaced. Your expectations is that you think Jose is the only case my firm represents and that we can up and jump and do anything you request the minute you request it. This is evidenced by your insistent and voluminous emails, text messages, demands, and requests for in-person meetings. As the attorney on this case, it is my job to determine what the legal strategies are. While I understand that you want Jose released, there is no guarantee that he would be given a bond at the bond hearing or that the bond would be one that you could afford to pay in order to get him released. When a client questions the ability of their attorney to determine the best legal strategy or if the attorney has the client's best interests there is an irreconcilable problem that affects the attorney-client relationship. This problem requires the attorney to withdraw from representation to allow the client to seek out representation from an attorney whom they feel more comfortable with.

His removal case is a withholding only case. The withholding only case includes an application for relief under the Convention Against Torture. This is because he does not qualify for asylum based upon his prior deportation. His other case is the U Visa case that is still pending.

The master calendar hearing that was scheduled for December 28th has been continued as I previously told you it would be. This is because the judge on her own changed his hearing date from December 7th to December 28th without the request or consent of the government attorneys or me. Since the 28th is right between Christmas and New Years, I am not in San Diego during that time. The hearing has now been rescheduled to January 17, 2017 at 1 p.m.

I will file a motion to reschedule the bond hearing. There is no guarantee the judge will grant it or that it be rescheduled on a day where a more favorable judge will conduct the bond hearing. Due to the attorney-client conflicts discussed above, after I submit the motion to reschedule bond hearing I will also be withdrawing from representation in Jose's case. I will do an accounting of the time spent on his removal case. I will then multiply that by my hourly rate. I will subtract the total hours from the previously paid flat fee. If there is a positive balance left in Jose's case after that deduction, I will refund you the difference.

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----- Original Message -----

Subject: Re: Regarding Bond Hearing

From: teka stiles <[tekastiles@sbcglobal.net](mailto:tekastiles@sbcglobal.net)>

Date: Tue, December 13, 2016 1:12 pm

To: "[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)" <[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)>

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**Subject:** Question

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Sun, Dec 18, 2016 6:53 pm

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

Pablo,

I understand u are quitting the asylum case

Just wanted to know how that affects the u visa contract r u removing from that as well?

And will u please consider leaving me all the info I've given u for his case like his transcripts, nta, the packet he gave u all the letters of support also a copy of the receipt for u visa he will be continuing on his own

If u are willing to I can pick it up from your receptionist any time this week

Please let me know, and sorry it didn't work out

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**Subject:** 2nd Attempt

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Mon, Jan 09, 2017 10:07 am

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

Pablo,

I Understand that you are removing yourself from my husband's case and you probably don't want to communicate with me but there's an ethics issue with not responding all status updates in the uvisa still go through you I would hate for him to not get it based on conflict between you and I he is the client not me you can simply answer my questions or his phone call and we can be done.

I know you were on vacation for the holidays

But the last communication we had was roughly the 16th of December

My husband is currently in limbo because you have not rescheduled the bond hearing

Or removed yourself from council so he can

Do so on his own. Also the u visa was a separate contract where do u stand on that for future uscis communication? if you could

Please return all paperwork pertaining to his asylum case that I have provided you before he goes in front of the judge with nothing on the 17th of this month We would greatly appreciate it.

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**Subject:** RE: 2nd Attempt

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Mon, Jan 09, 2017 2:12 pm

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

Sounds good  
Thank you I will tell him

Sent from Yahoo Mail on Android

On Mon, Jan 9, 2017 at 1:01 PM, zamora@tipthescalesforme.com  
<zamora@tipthescalesforme.com> wrote:

I have filed a motion to withdraw over two weeks ago. The Court has not issued a decision on the case yet. There is no new news on the U Visa case. Those cases take a few years to process. A request was made months ago to DHS attorneys to ask USCIS to expedite his U Visa case. As of yet, there has not been a decision on that request. The motion to cancel the bond hearing has been approved and a new bond hearing date needs to be set. I was going to let Jose ask the court for a bond hearing on a day and time that he wants to ensure that I can't continue to be blamed for the issues in his case. Once the judge has granted my motion to withdraw I will have Jose's files available for pick up.

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I know you were on vacation for the holidays

But the last communication we had was roughly the 16th of December

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Sent from Yahoo Mail on Android

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**Subject: Re: 2nd Attempt**

**From: teka stiles <tekastiles@sbcglobal.net>**

**Date: Mon, Jan 16, 2017 4:59 pm**

**To: Scales Of Justice <zamora@tipthescalesforme.com>**

Ok

Sent from Yahoo Mail on Android

On Mon, Jan 16, 2017 at 4:45 PM, Scales Of Justice <zamora@tipthescalesforme.com> wrote:

I was just notified by the court that my motion to withdraw was granted. I will have the case file available Wednesday morning for you to pick up

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Thank you I will tell him

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Sent from Yahoo Mail on Android

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**Subject: RE: 2nd Attempt**

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Wed, Jan 18, 2017 11:46 am

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

Is the file ready for pickup?

Sent from Yahoo Mail on Android

On Tue, Jan 17, 2017 at 2:25 PM, zamora@tipthescalesforme.com <zamora@tipthescalesforme.com> wrote:

That won't be ready for a few days.

**Pablo A. Zamora, Esq.**

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**Date:** Tue, January 17, 2017 2:18 pm

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**Subject:** Itemized hourly billing statements for each case

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:03 am

**To:** "tekastiles@sbcglobal.net" <tekastiles@sbcglobal.net>

**Attach:** Hourly Billing Statement - U Visa - Ascencio Torres.xlsx

Hourly Billing Statement - Removal Case - Ascencio Torres.xlsx

Teka,

Attached are the billing statements for each case that you requested. As you can see I have spent more time on the case than has been paid. These statements also do not include the time spent on speaking on the phone to you, DHS, the court, and ICE officers. These statements also do not include the time spent reading your text messages and responding to your text messages. These statements also do not include time spent meeting with you each month at my office. These statements also do not reflect money paid for postage and copies. I did not include them in the statements because the hourly billing amount for each case was already over the flat fee amount paid. You have the right to dispute the items on the statements. If you choose to, please do it in writing. I am also sending you several emails with electronic copies of portions of the case file. I am sending it electronically to save you money on having to pay for copy per page charges.

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			PABLO A. ZAMORA, ESQ.	
			1901 First Avenue, 2nd Floor	
			San Diego, CA 92101	
			INVOICE	
Case:	Jose Diego Ascencio Torres		U Visa	
<u>Date</u>	<u>Item</u>			<u>Hours</u>
6/15/16	Travel to Police Department to obtain Police Report			1
6/17/16	Draft, review, finalize SD Police Dept. U Visa Letter			0.5
6/17/16	Travel to Police Department to submit U Visa Certification Request			1
6/17/16	Draft, review, finalize U Visa Certification and Application			1.5
6/20/16	Prepare Stay of Removal Paperwork and Evidence			1
6/20/16	Prepare Stay of Removal Legal Brief			1
6/21/16	Translate Jose's Mexican Birth Certificate to English			0.5
6/21/16	Translation Certification			0.1
6/24/16	Phone conversations with ICE RE: Stay of Removal			0.5
7/7/16	Travel to Police Department to obtain Police Report			1
7/7/16	Draft, review, finalize I-912 Fee Waiver Request			0.5
7/7/16	Draft, review, finalize U Visa Waiver Request			1
7/8/16	Review Jose's criminal records			0.4
7/8/16	Draft, review, finalize Jose's U Visa Statement			0.6
7/13/16	Draft, review, finalize Jose's USCIS U Visa & Waiver Cover Letter			0.5
7/13/16	Submission of U Visa paperwork to USCIS, copy, scan, deliver to post office			0.6
8/2/16	Review USCIS Receipt for U Visa/Waiver			0.1
1/18/17	Prepare, review, finalize letter to USCIS withdrawing from U Visa representation			0.5
			Total Hours	12.3 hours
			x \$250.00 per hour	\$3,075.00



			PABLO A. ZAMORA, ESQ.	
			1901 First Avenue, 2nd Floor	
			San Diego, CA 92101	
			INVOICE	
Case:	Jose Diego Ascencio Torres		Removal Proceedings	
Date	Item			Hours
7/14/16	Draft, review, finalize, scan and submit CBP FOIA Request			0.7
9/7/16	Draft, review, finalize, submit to DHS Bond Release paperwork			1.5
9/13/16	Draft, review, finalize Motion to Continue			1
9/13/16	Draft, review, finalize EOIR-28 form			0.2
9/16/16	Deliver to Court and DHS Motion to Continue/EOIR-28			0.5
9/28/16	Review DHS/CBP documents received in Jose's case			0.5
10/11/16	Review IJ Order RE: Motion to Continue			0.1
10/11/16	Review Notice of Hearing			0.1
11/1/16	Prepare and submit to DHS request to expedite U Visa			0.5
11/20/16	Review Jose's Asylum Application			0.3
12/1/16	Prepare, review, finalize 2nd Motion to Continue			0.5
12/1/16	Prepare, review, finalize Motion to Continue Bond Hearing			0.5
12/2/16	Deliver to Court and DHS 2nd Motion to Continue			0.5
12/1/16	Prepare, review, finalize revised U Visa and fear statements			1
12/16/16	Deliver to Court and mail to DHS Motion to Continue Bond			0.5
12/16/16	Review Notice of Hearing - 2nd			0.1
12/20/16	Prepare, review, finalize Bond Proceedings Legal Brief/Evidence			1.5
12/28/16	Draft, Review, Finalize, and submit to DHS and EOIR Motion to Withdraw			1.5
1/5/17	Review IJ Order RE: Bond Hearing Continuance			0.1
	Review of emails from Teka from 06/16/2016 - 01/19/2017			
	20 emails x 0.1 per email			2.8

Compose and send responses to emails to Teka from						
06/19/2016 - 01/19/2017						<u>1.4</u>
				Total hours		15.8
15.8 hours x \$250.00 per hour						\$3, 950.00
Flat fee amount paid						(\$3,800.00)
Amount owed to attorney						\$150.00

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**Subject: Case Documents**

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:05 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** ice\_form\_i\_246 (1) - stay of removal.pdf

Ascencio I-264 Brief d5.docx

Torres Birth Certificate Translation.docx

Police U-Visa Certification Letter FINAL Rev.docx

Ascencio Torres USCIS letter for U Visa and Waiver.docx

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**Subject:** Case documents - 2

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:06 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** Ascencio Torres I-192 App submission.pdf

I-918 Ascencio Torres App submission.pdf

Ascencio Torres U Visa attachment 1.pdf

Ascencio Torres U Visa attachment 2.pdf

I-912 Ascencio Torres Fee Waiver submission.pdf

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**Subject:** Case documents - 3

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:09 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** CBP FOIA - Jose Diego Ascencio Torres - submission.pdf

Ascencio Torres I-192 Receipt.pdf

Ascencio Torres - ICE Parole-Bond Request.docx

ICE Bond Submission - Ascencio Torres.pdf

DHS documents - Ascencio Torres.pdf

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**Subject:** Case documents - 4

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:10 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** EOIR-28 - Ascencio Torres - stamped.pdf

Mtn to Cont - Ascencio Torres - stamped.pdf

IJ Order - Continuance.pdf

NoH - Oct 2016 - Ascencio Torres.pdf

Ascencio Torres DHS request to expedite U Visa processing.pdf

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**Subject:** Case documents - 5  
**From:** zamora@tipthescalesforme.com  
**Date:** Fri, Jan 20, 2017 10:11 am  
**To:** "teka stiles" <tekastiles@sbcglobal.net>  
**Attach:** NoH - Bond.pdf  
Mtn Cont Bond Hearing - stamped.pdf  
Mtn to Cont Hearing - stamped.pdf  
NoH Jan 2017.pdf  
Motion to Withdraw - submission.pdf

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**Subject:** Case Documents - 6

**From:** zamora@tipthescalesforme.com

**Date:** Fri, Jan 20, 2017 10:12 am

**To:** "teka stiles" <tekastiles@sbcglobal.net>

**Attach:** Mtn Cont Bond - Notice.pdf

Order signed - Mtn Cont Bond Hearing.pdf

Bond Proceedings Evidence.pdf

Bond Proceedings Evidence - 2.pdf

Ascencio Torres - Decl of Ascencio Torres - Withhold and CAT d4.docx

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**Subject:** Re: Case Documents - 6

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Fri, Jan 20, 2017 11:09 am

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

I'm not disputing the fact that you worked hard on hid case Pablo it was apparent to me when I retrieved his file from your office I believe you let your feelings get in the way I was simply relaying to you all the things my husband asked me to I was the one stuck in the middle if you will.

Thanks for your hard work.

1more thing for the uvisa future communication will I need to get a change of address for that? Or will it automatically go to our home? I'm assuming the contract for that is now not a flat rate start to finish

Sent from Yahoo Mail on Android

On Fri, Jan 20, 2017 at 10:12 AM, zamora@tipthescalesforme.com <zamora@tipthescalesforme.com> wrote:

**Pablo A. Zamora, Esq.  
Immigration and Naturalization Law**

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email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)

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**Subject:** Uvisa app.

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Fri, Feb 03, 2017 5:33 pm

**To:** Scales Of Justice <zamora@tipthescalesforme.com>

Did u file a u visa with uscis?  
My husband called them they said there's  
No u visa application on their record  
I realize you're done but we need to knowif you did submit the application for u visa to uscis

[Sent from Yahoo Mail on Android](#)

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**Subject:** i918 receipt

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Mon, Feb 06, 2017 10:21 am

**To:** Scales Of Justice <zamora@tipthescalesforme.com>

We just need the receipt # for the i918 Pablo  
I will not bother u more but uscis said we should have 2 receipts 1 for each file i cant get it for him and he can't get it without leaving  
a call back number

Sent from Yahoo Mail on Android

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**Subject:** YeRE: Uvisa app.

**From:** zamora@tipthescalesforme.com

**Date:** Tue, Feb 07, 2017 1:58 pm

**To:** "tekastiles@sbcglobal.net" <tekastiles@sbcglobal.net>

Yes, I submitted a U Visa application along with the Waiver to USCIS. That is why the USCIS Vermont Service center issued the receipt. The U Visa Application and Waiver were submitted in the same priority mail envelope to USCIS.

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----- Original Message -----

Subject: Uvisa app.

From: teka stiles <[tekastiles@sbcglobal.net](mailto:tekastiles@sbcglobal.net)>

Date: Fri, February 03, 2017 5:33 pm

To: Scales Of Justice <[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)>

Did u file a u visa with uscis?

My husband called them they said there's

No u visa application on their record

I realize you're done but we need to know if you did submit the application for u visa to uscis

[Sent from Yahoo Mail on Android](#)

[Print](#) | [Close Window](#)

**Subject:** RE: i918 receipt

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Wed, Feb 08, 2017 10:51 am

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

That is why he's confused because he called USCIS and they told him that that receipt number was for the i-192 and that there should be two receipts one for the U visa application and that one so when I try to track on the USCIS website it just says we received your form I 192 I did see where it says you can't submit one without the other we were just wondering how to track the i918  
[Sent from Yahoo Mail on Android](#)

On Wed, Feb 8, 2017 at 10:03 AM, zamora@tipthescalesforme.com <zamora@tipthescalesforme.com> wrote:

The only receipt issued to me when I submitted both the U Visa Application and Waiver together was the receipt I previously provided to you. You cannot file a Waiver for the U Visa without the U Visa application with it. Had that been the case USCIS would have rejected the filing and sent it back to me. I'm thinking USCIS made an error and lost part of the file, which happens all the time.

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**Immigration and Naturalization Law**

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----- Original Message -----

Subject: i918 receipt

From: teka stiles <tekastiles@sbcglobal.net>

Date: Mon, February 06, 2017 10:21 am

To: Scales Of Justice <[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)>

We just need the receipt # for the i918 Pablo

I will not bother u more but uscis said we should have 2 receipts 1 for each file i cant get it for him and he can't get it without leaving a call back number

[Sent from Yahoo Mail on Android](#)

[Print](#) | [Close Window](#)

**Subject:** RE: i918 receipt

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Wed, Feb 08, 2017 10:53 am

**To:** "zamora@tipthescalesforme.com" <zamora@tipthescalesforme.com>

So if they made an error what do i do

Sent from Yahoo Mail on Android

On Wed, Feb 8, 2017 at 10:51 AM, teka stiles <tekastiles@sbcglobal.net> wrote:

That is why he's confused because he called USCIS and they told him that that receipt number was for the i-192 and that there should be two receipts one for the U visa application and that one so when I try to track on the USCIS website it just says we received your form I 192 I did see where it says you can't submit one without the other we were just wondering how to track the i918

Sent from Yahoo Mail on Android

On Wed, Feb 8, 2017 at 10:03 AM, zamora@tipthescalesforme.com <zamora@tipthescalesforme.com> wrote:

The only receipt issued to me when I submitted both the U Visa Application and Waiver together was the receipt I previously provided to you. You cannot file a Waiver for the U Visa without the U Visa application with it. Had that been the case USCIS would have rejected the filing and sent it back to me. I'm thinking USCIS made an error and lost part of the file, which happens all the time.

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email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)

website: [www.tipthescalesforme.com](http://www.tipthescalesforme.com)

\*Licensed in the District of Columbia. Practicing Federal Immigration Law in the State of California.\*

I return phone calls and emails during regular business hours Monday through Friday from 9 a.m. to 5 p.m. Pacific time. Any returned calls or emails outside of regular business hours is a courtesy and not a right or guarantee of continued responses during non-business hours.

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----- Original Message -----  
Subject: i918 receipt



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**Subject:** I918

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Thu, Feb 09, 2017 11:16 am

**To:** Scales Of Justice <zamora@tipthescalesforme.com>

Just left court the government brought up the fact that there is no i918 filed they had proof

[Sent from Yahoo Mail on Android](#)

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**Subject: RE: i918 receipt**  
**From: zamora@tipthescalesforme.com**  
**Date: Fri, Feb 10, 2017 10:47 am**  
**To: "tekastiles@sbcglobal.net" <tekastiles@sbcglobal.net>**

I would suggest using the USCIS Ombudsman's request website to see if they can track down the receipt if one was ever issued. I have proof they received the U Visa application and Waiver so they should have the paperwork. But like I said, it is not uncommon for USCIS to lose or misplace things. The link is below. Easiest to copy and paste it into your website browser:

<https://cisomb.dhs.gov/oca/form7001.aspx>

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

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----- Original Message -----

Subject: RE: i918 receipt  
From: teka stiles <[tekastiles@sbcglobal.net](mailto:tekastiles@sbcglobal.net)>  
Date: Wed, February 08, 2017 10:51 am  
To: "[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)" <[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)>

That is why he's confused because he called USCIS and they told him that that receipt number was for the i-192 and that there should be two receipts one for the U visa application and that one so when I try to track on the USCIS website it just says we received your form I 192 I did see where it says you can't submit one without the other we were just wondering how to track

the i918

[Sent from Yahoo Mail on Android](#)

On Wed, Feb 8, 2017 at 10:03 AM, [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)  
<[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)> wrote:

The only receipt issued to me when I submitted both the U Visa Application and Waiver together was the receipt I previously provided to you. You cannot file a Waiver for the U Visa without the U Visa application with it. Had that been the case USCIS would have rejected the filing and sent it back to me. I'm thinking USCIS made an error and lost part of the file, which happens all the time.

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**

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----- Original Message -----

Subject: i918 receipt

From: teka stiles <[tekastiles@sbcglobal.net](mailto:tekastiles@sbcglobal.net)>

Date: Mon, February 06, 2017 10:21 am

To: Scales Of Justice <[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)>

We just need the receipt # for the i918 Pablo

I will not bother u more but uscis said we should have 2 receipts 1 for each file i cant get it for him and he can't get it without leaving a call back number

[Print](#) | [Close Window](#)

**Subject:** u visa app  
**From:** teka stiles <tekastiles@sbcglobal.net>  
**Date:** Fri, Mar 17, 2017 5:23 pm  
**To:** Scales Of Justice <zamora@tipthescalesforme.com>

Good afternoon Pablo,  
We have been reviewing the file/ case document emails from you and in the application for the u visa its appears to be missing a completed i918 application if you can send us a copy of the application you submitted to uscis or the proof of submission we are preparing for upcoming court and need to present the completed app to the judge  
Thank you  
Teka Stiles

[Sent from Yahoo Mail on Android](#)

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**Subject:** 2nd request

**From:** teka stiles <tekastiles@sbcglobal.net>

**Date:** Fri, Mar 24, 2017 12:45 pm

**To:** Scales Of Justice <zamora@tipthescalesforme.com>

Mr. Zamora,

You had told me that you had proof the u visa application was submitted please provide it along with a copy of the completed application file that you submitted you also had said prior, that it would need to be amended what did you mean by that? at the point that you received only the one receipt you as the attorney should have called to follow up with uscis Yourself to see what had happened. You were negligent and did not do your due diligence the contract that we had covered the submission of the application and all contact with uscis pertaining to the application you did not do that if we don't get a response about the concerns we have by 3/31/17 we will be contacting the bar.  
Teka Stiles Ascencio  
Jose D. Ascencio

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**Subject:** RE: 2nd request  
**From:** zamora@tipthescalesforme.com  
**Date:** Mon, Mar 27, 2017 10:17 am  
**To:** "teka stiles" <tekastiles@sbcglobal.net>  
**Attach:** Proof of Delivery of U Visa Application with Waiver - USPS.pdf  
i-918 Torres.pdf  
i-918supb Torres.pdf  
I-918 Ascencio Torres App submission.pdf  
Ascencio Torres U Visa attachment 1.pdf  
Ascencio Torres U Visa attachment 2.pdf

You already received the complete file that I had in this case when you picked it up in person from my office. I also emailed you several emails with attachments of items from the case file.

Attached is the USPS receipt with the tracking number for the U Visa application and Waiver submissions that were sent to USCIS. The date written on the receipt is when the documents were received by USCIS. Unfortunately USPS does not keep an indefinite log in their online system regarding deliveries. But, as you can see, they received the paperwork as they issued a receipt. All the paperwork had to be submitted together including the U Visa application and certification, waivers, and evidence. Had it not all been sent together, USCIS would have rejected it and sent it back to us, which they did not. I am attaching the documents again to this email. It appears that I did not scan and save a copy of the signed U Visa application in my system prior to you picking up the file.

If USCIS is alleging they lost the U visa application that was submitted to them then they can simply request that you resubmit it to them.

Regarding the allegations of my representation and work product, as is your right, you can submit a complaint to the bar. That aside, I will not be responding to any future emails received from you based upon your continued disrespectful attitude towards me that has been rampant since we began this case. Please put all future correspondence in written format and mailed to my office address with proof of delivery so that you can be assured that I receive your communications.

**Pablo A. Zamora, Esq.**  
**Immigration and Naturalization Law**  
1901 First Avenue, 2nd Floor  
San Diego, CA 92101  
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email: [zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)  
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----- Original Message -----

Subject: 2nd request

From: teka stiles <[tekastiles@sbcglobal.net](mailto:tekastiles@sbcglobal.net)>

Date: Fri, March 24, 2017 12:45 pm

To: Scales Of Justice <[zamora@tipthescalesforme.com](mailto:zamora@tipthescalesforme.com)>

Mr. Zamora,

You had told me that you had proof the u visa application was submitted please provide it along with a copy of the completed application file that you submitted you also had said prior, that it would need to be amended what did you mean by that? at the point that you received only the one receipt you as the attorney should have called to follow up with uscis

Yourself to see what had happened. You were negligent and did not do your due diligence the contract that we had covered the submission of the application and all contact with uscis pertaining to the application you did not do that if we don't get a response about the concerns we have by 3/31/17 we will be contacting the bar.

Teka Stiles Ascencio

Jose D. Ascencio

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**PABLO A. ZAMORA, ESQ.**  
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EMAIL: ZAMORA@TIPTHESCALESFORME.COM

WEBSITE: WWW.TIPTHESCALESFORME.COM

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January 17, 2017

USCIS  
Vermont Service Center  
75 Lower Welden Street  
Saint Albans, VT 05479

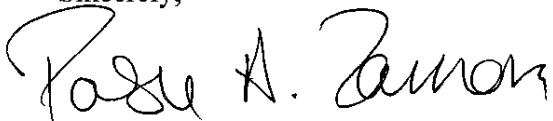
RE: Jose Diego Ascencio Torres (A 079 788 116)  
U Visa Application and I-192 Application

Dear USCIS,

I am the attorney of record for Jose Diego Ascencio Torres regarding his U Visa application and I-192 application. This letter serves as a notification that I am no longer representing Jose in this matter. Please submit any correspondence or documents to:

Jose Diego Ascencio Torres  
c/o Teka Stiles  
4420 La Crosse  
San Diego, CA 92117.

Sincerely,

  
Pablo A. Zamora, Esq.

Answer to Specification  
of Charges Exhibit

8

Disciplinary Dkt #2017-D142

exhibiticker.com

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PABLO ZAMORA, ESQ.  
IMMIGRATION LAW  
\*LICENSED IN WASHINGTON, D.C.\*



**THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.**

RECEIPT NUMBER EAC-16-214-50045		CASE TYPE I192 APPLICATION FOR ADVANCE PERMISSION TO ENTER AS NONIMMIGRANT	
RECEIVED DATE July 18, 2016	PRIORITY DATE	APPLICANT A079 788 116 ASCENCIO TORRES, JOSE D.	
NOTICE DATE July 26, 2016	PAGE 1 of 1		

JOSE DIEGO ASCENCIO TORRES C/O PABLO RAMORA 1901 FIRST AVE FLR 2ND SAN DIEGO CA 92101	Notice Type: Receipt Notice  Fee Waived
--	---

**Receipt Notice-** This notice confirms that USCIS received your application or petition ("this case") as shown above. If any of the above information is incorrect, please immediately call 800-375-5283 to let us know. This will help avoid future problems.

~~This notice does not grant any immigration status or benefit, nor is it evidence that this case is still pending. It only shows that the application or petition was filed on the date shown.~~

**Processing time** - Processing times vary by case type. You can check our website at [www.uscis.gov](http://www.uscis.gov) for our current "processing times" for this case type at the particular office to which this case is or becomes assigned. On our website's "case status online" page, you can also view status or sign up to receive free e-mail updates as we complete key processing steps on this case. During most of the time this case is pending, however, our systems will show only that the case has been received, and the processing status will not have changed, because we will be working on other cases that were filed earlier than this one. We will notify you by mail, and show in our systems, when we make a decision on this case or if we need something from you. If you do not receive an initial decision or update from us within our current processing time, check our website or call 800-375-5283. Please save this notice, and any other notice we send you about this case, and please make and keep a copy of any papers you send us by any means, along with any proof of delivery to us. Please have all these papers with you if you contact us about this case.

**If this case is an I-130 Petition** - Filing and approval of a Form I-130, Petition for Alien Relative, is only the first step in helping a relative immigrate to the United States. The beneficiaries of a petition must wait until a visa number is available before they can take the next step to apply for an immigrant visa or adjustment of status to lawful permanent residence. To best allocate resources, USCIS may wait to process I-130 forms until closer to the time when a visa number will become available, which may be years after the petition was filed. Nevertheless, USCIS processes I-130 forms in time not to delay relatives' ability to take the next step toward permanent residence once a visa number does become available. If, before final action on the petition, you decide to withdraw your petition, your family relationship with the beneficiary ends, or you become a U.S. citizen, call 800-375-5283.


**Applications requiring biometrics** - In some types of cases USCIS requires biometrics. In such cases, USCIS will send you a SEPARATE appointment notice with a specific date, time and place for you to go to a USCIS Application Support Center (ASC) for biometrics processing. You must WAIT for that separate appointment notice and take it (NOT this receipt notice) to your ASC appointment along with your photo identification. Acceptable kinds of photo identification are: a passport or national photo identification issued by your country, a drivers license, a military photo identification, or a state-issued photo identification card. If you receive more than one ASC appointment notice, even for different cases, take them both to the first appointment.

~~**If your address changes** - If your mailing address changes while your case is pending, call 800-375-5283 or use the "Notify Change of Address" function on our website. Otherwise, you might not receive notice of our action on this case.~~

**NOTICE:** Pursuant to the terms of the United States Immigration & Nationality Act (INA), the information provided on and in support of applications and petitions is submitted under penalty of perjury. USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after adjudication to ensure conformity with applicable laws, rules, regulations, and other authorities. Methods used for verifying information may include, but are not limited to, the review of public information and records, contact by correspondence, the internet, or telephone, and site inspections of businesses and residences. Information obtained during the course of verification will be used to determine eligibility for the benefit sought. Applicants, petitioners, and representatives of record will be provided an opportunity to address derogatory information before any formal decision is made and/or proceeding is initiated.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

USCIS  
VERMONT SERVICE CENTER  
75 LOWER WELDEN STREET  
SAINT ALBANS VT 05479-0001  
Customer Service Telephone: (800) 375-5283



U.S. Department of Homeland Security  
Vermont Service Center  
75 Lower Welden Street  
St. Albans, VT 05479-0001



**US Citizenship  
and Immigration  
Services**

March 30, 2017

PABLO A ZAMORA  
PABLO A ZAMORA ESQ  
1901 FIRST AVENUE 2ND FLOOR  
SAN DIEGO CA 92101

A Number(s): A79788116  
Receipt Number(s): EAC1621450045  
Applicant/Petitioner: JOSE DIEGO ASCENCIO TORRES  
Principal Form Type: I192 VAWA

Dear Sir or Madam:

U.S. Citizenship and Immigration Services (USCIS) received your request to withdraw representation from a case; however, you have not provided an alternate address for the applicant. In order to honor your request, you must provide a signed statement withdrawing your representation and a safe alternate address for the applicant/petitioner to receive any future correspondence from USCIS. You may send this via email or fax (802-527-4859).

For future status inquiries of a petition or application filed at this Center you may want to utilize our National Customer Service Center by calling 1-800-375-5283. If you would like to obtain forms, filing instructions, case status or schedule an appointment with your local office, please visit our web site at [www.uscis.gov](http://www.uscis.gov). You must use the InfoPass Appointment Scheduler prior to visiting your local office.

Sincerely,

A handwritten signature in black ink that reads "Laura Zuchowski".

Laura Zuchowski  
Center Director  
VSC17033014175/1000227

Answer to Specification  
of Charges Exhibit

9

Disciplinary Dkt #2017-D142

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