

**[Note to Practitioners: If you use this sample, please attach a separate complete exhibit list]**

*First-Class, Certified and Returned Receipt Mail*  
DATE

Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Vermont Service Center  
I-360 Processing  
75 Lower Welden Street  
St. Albans, VT 05479-0001

**VAWA ONE STEP - CONFIDENTIAL**

*Re: Form I-360, Self Petition for Battered Spouse, I-485 Application to Adjust to Permanent Resident Status and I-765 Application for Employment Authorization on behalf of NAME, A#*

Dear Officer:

This office represents Jane DOE, married name “DOE”, (A#), in matters relative to her immigration status in the United States. Enclosed, please find a G-28 evidencing our representation. In addition, please find the following in support of Jane DOE’s I-360 Petition, I-485 Application for Adjustment and I-765 Application for Employment Authorization and derivative applications:

1. G-28 evidencing our representation;
2. Form I-360, VAWA self-petition on behalf of Petitioner Jane DOE;
3. G-325A Biographic Information;
4. Form I-912 Request for Fee Waiver on Behalf of Petitioner;
5. Form I-485 Application to Adjust Status on Behalf of Petitioner;
6. Form I-765 Application for Employment Authorization;
7. Form I-765 and I-485 on behalf of Derivative Children Ann DOE and Emm DOE
8. Attached exhibits, supporting Ms. DOE’s VAWA self-petition.

Under the regulations 8 C.F.R. Sections 204.1(a)(3) and 204.2(c), the following requirements must be met in order to self-petition as a battered spouse. The spouse who is self-petitioning must:

1. Be living in the United States at the time she applies;
2. Be eligible for immigrant classification;
3. Have resided with the U.S. citizen or lawful permanent resident;
4. Have entered the marriage in good faith;
5. Have been battered or have been subject to extreme cruelty committed by the U.S. citizen or lawful permanent resident during the marriage; and
6. Be of good moral character.

As Ms. DOE meets all of these requirements, as detailed below, this petition should be approved.

With this submission, Ms. DOE asks the US Citizen and Immigration Services (USCIS) that, in accordance with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”) § 384<sup>1</sup>, the USCIS (a) does not provide any information to her husband, and (b) does not rely on any information provided by her.

**Petitioner requests that if her adjustment application is approved that all immigration documents forthwith be issued in her maiden name of “DOE”. She is currently in the process of obtaining a divorce from her abusive USC spouse and intends to resume the use of her maiden name “DOE”.**

**Additionally, Ms. DOE’s daughters Ann DOE (“Ann”) (A# ) and Emm DOE (“Emm”) (A#) are eligible as derivative beneficiaries of their mother’s petition. We are also attaching to this submission for each beneficiary an I-485 Application to Adjust to LPR Status and Form I-765. Both daughters entered on K-2 visas and currently reside with their mother Jane DOE in the United States.**

**1. MS. DOE IS LIVING IN THE UNITED STATES**

Jane DOE (married name “DOE”) (hereinafter “Petitioner”) currently resides, with her daughters Ann and Emm “Emm”, at ADDRESS. She moved with her daughters from her marital home located at ADDRESS in April YEAR because of domestic abuse from her U.S. citizen husband, John DOE.

**2. MS. DOE IS ELIGIBLE FOR IMMIGRANT CLASSIFICATION**

The Petitioner is a national of the Philippines and last entered the United States on a K-1 visa on March 15. The Petitioner entered the United States to marry her U.S. citizen fiancé John DOE. Her daughters entered on K-2 visas on date. The Petitioner and Mr. DOE were married in a civil ceremony in Harford County, Maryland on date (*See* Exhibits 3 and 11). Mr. DOE intentionally deceived the Petitioner, setting their marriage date 91 days after she entered the country (instead of within 90 days as required by her K-1 visa) (*See* Exhibit 5 and Exhibit 22). This is the second marriage for Petitioner, after being separated from her former husband for more than 15 years, and the fifth marriage for John DOE (*See* Exhibit 31). John DOE is a United States Citizen born in the United States (*See* Exhibit 32). Therefore, Petitioner is eligible to immigrate pursuant to INA 201 (b)(2)(A)(i) as an immediate relative.

**3. MS. DOE ENTERED THE MARRIAGE IN GOOD FAITH AND RESIDED WITH HER USC HUSBAND**

In November, the Petitioner met John DOE, a United States Citizen, over the internet through the dating site Match.com (*See* Exhibit 5, p.1). At the time she met Mr. DOE, Petitioner lived in the Philippines where she was a teacher and owned a successful boutique. Petitioner had been separated from her first husband for many years. As a single mother and woman in her 40’s, it was difficult for the Petitioner to date men in the Philippines because the country is conservative and most men her age

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<sup>1</sup> Section 384 of IIRIRA specifically prohibits (i) the disclosure of information to an abusive spouse relating to a spouse that he or she has abused and (ii) the reliance on any information provided by an abusive spouse to the USCIS.

were already married (*See Exhibit 5, p. 1*). Petitioner's sister had convinced her to try dating online, because she had met her own husband that way and they were happy (*See Exhibit 5, p.1 and Exhibit 20*). The couple immediately began dating and communicating by e-mail, webcam and telephone and started to fall in love (*See Exhibits 5, p.1 & Ex. 7, p.1*). Mr. DOE expressed his strong interest in the Petitioner (*See Exhibit 5, p.1, Exhibit 6 and 7*) and sent Christmas gifts to the Petitioner and her children (*See Exhibit 8*).

Their feelings were confirmed when Mr. DOE visited the Petitioner and her daughters in the Philippines from May (*See Exhibit 5, p. 2; Ex. 9*). During that trip, Mr. DOE was introduced to many members of the Petitioner's family, who all knew about her relationship with and love for Mr. DOE (*See Exhibit 5, p.2-3, and Exhibits 20 and 21*). Her daughters also knew of her love for Mr. DOE, and thought they were a good match (*See Exhibit 6, p. 1-2 and Exhibit 7, p. 1*). Mr. DOE presented Petitioner with a diamond engagement ring and proposed marriage during this visit and Petitioner happily accepted (*See Exhibit 5, p.2, and Exhibit 9*). After their engagement the couple became even closer, communicating daily on the phone and through e-mails (*See Exhibit 5, p.3 and Exhibit 10*).

Petitioner and her daughters were eventually approved for fiancé visas in 2011. In order to move here, Petitioner had to resign from her teaching position and sell her boutique (*See Ex. 5, p. 3; Ex. 37*). After four years of courtship, Petitioner was finally able to enter the United States on March 15 with a K-1 fiance visa to marry Mr. DOE (*See Exhibit 2*). Her daughters Ann and Emm (who goes by her middle name Emm) entered the United States on K-2 visas on May 4, (*See Exhibit 4*).

Petitioner started living with Mr. DOE after she arrived in the United States at ADDRESS, the house he owned prior to the marriage (*See Exhibit 5, p. 3 and Exhibits 13-1618-19*). Petitioner's daughters joined Petitioner and her husband in date and spent time at home. (*See Exhibit 5, p. 3-4; Ex. 6, p. 2 and Ex. 7, p. 3*). At first the family was happy and Petitioner's daughters were glad to have a father figure in their lives, which they had never had before (*See Exhibits 5, p.3-4; Ex. 6, p. 2 and Exhibit 7, p. 2*).

As a married couple, the Petitioner and Mr. DOE filed a joint tax return together in 2012 (*See Exhibit 14*).

#### **4. MS. DOE WAS SUBJECTED TO ABUSE AND EXTREME CRUELTY BY HER UNITED STATES CITIZEN HUSBAND**

Soon after Petitioner and Mr. DOE were married, he began to display abusive behavior. When Petitioner discovered Mr. DOE was regularly watching child pornography, she confronted him and he responded by screaming at her and threatening physical violence (*See Exhibit 5, p.5*). Petitioner's daughters heard him screaming during this incident (*See Exhibit 6, p. 4 and Exhibit 7, p. 3*). Mr. DOE would also humiliate Petitioner in public to degrade her, and refused to help her apply for a driver's license, making it difficult to leave the house because it was not near public transportation. (*See Exhibit 5, p.7*). He also began to verbally abuse both Petitioner and her daughters with name-calling and verbal degradation; for example he would call Petitioner's daughters "Siamese twins" and mock Petitioner's accented English (*See Exhibits 5, pp.4-5*).

On date, Mr. DOE threatened to strangle the petitioner with an electrical cord after an argument (*See Exhibit 5, p.8*). Petitioner's daughters Ann and Emm heard Mr. DOE screaming and Emm actually witnessed Mr. DOE holding the cord in his hand as well. (*See Exhibit 6, p.5-6 and Exhibit 7, p. 4-5*).

Terrified, they all ran into a room to call 911, but hung up because they were afraid the phone was too loud and it would anger Mr. DOE further (*See Exhibit 23*).

Mr. DOE also used financial control to abuse the Petitioner and her daughters. He complained about the cost of how much food they were eating, which made them scared to eat and tried to force her daughters to join the military (*See Exhibit 5, p. 6*). When the Petitioner and her daughters tried to apply for jobs, he would tell the jobs calling they had the wrong number (*See Exhibit 5, p. 9*).

Mr. DOE was also sexually abusive to the Petitioner, forcing her to have sex with him even when she didn't want to. (*See Exhibit 5, p. 10*) The Petitioner was afraid to resist him because she feared that if she did Mr. DOE would be violent with her. (*See Exhibit 5, p. 11*).

Petitioner was fearful for herself and her daughters but didn't know to get help; she wrote the County Executive in Harford County for help on date (*See Exhibit 34*).

On date, Mr. DOE tried to punch Petitioner as she was coming down the stairs, but he missed (*See Exhibit 5, p. 11*). This attempted assault was witnessed by Petitioner's daughter Ann (*See Ex. 6, pp. 6-7*).

On date, Mr. DOE assaulted Petitioner by pushing her into a refrigerator door, and threatening to punch her in the face (*Exhibit 5, p. 12*). This assault was witnessed by her daughter Ann (*See Ex. 6, p.7*).

This assault was the last straw for Petitioner. With the help of an immigrant resource center, LASOS and SARC (Safety Awareness Resources Change), a domestic violence agency in Harford County, Maryland, Petitioner was able to escape to a domestic violence shelter and file for a protective order against Mr. DOE on date (*See Exhibits 24, 25 and 27, 28*). She also eventually learned that when her husband assaulted her in month that it was a crime (*See Ex. 5 p.14*). She reported the assault to Harford County Police and filed a criminal case against him in district court; as a result he was charged with second-degree assault (*See Ex. 5, p.14; Exs. 24, 35-36*). Unfortunately, the prosecution refused to pursue the case because they believed there was not enough evidence to sustain a conviction and the case was nolle prosequi (*Id*). The Petitioner sought individual counseling from a therapist at SARC in order to treat the symptoms that she suffered on account of the abuse, including "intrusive, disturbing memories of traumatic experiences", "flashbacks and nightmares", depression, "low mood, loss of interest, and a decrease in motivation, energy, and concentration" (*See Exhibit 27*). Her therapist has attested that Petitioner's claims of domestic violence are credible in her professional opinion (*See Exhibit 27*).

**5. MS. DOE IS A PERSON OF GOOD MORAL CHARACTER**

Ms. DOE has no criminal record in the United States (*See Exhibit 30*). She is a member of the community Church, and her neighbors and pastor attest to her strong moral character (*See Exhibits 17, 18, 19, 33*). There is nothing adverse in her record that indicates that she would be considered lacking good moral character. INA Section 101(f) lists the grounds for finding a person lacking in good moral character. None of the grounds relate to Petitioner. Her daughters also want to be productive members of society. They were able to get jobs at employer and were even promoted, however they could not continue their jobs because their work permits expired (*See Exhibit 29*). Ms. DOE is an educated

**VAWA Cover Letter for Combine I-360 I-485I-765 Example 2**

*DOE, Jane  
I-360 Petition  
A #201138731*

individual and a good mother who wants to be able to create a successful life for herself and her daughters in the United States, free from violence (*See Exhibit 5*).

**CONCLUSION**

Jane DOE meets the requirements of the Violence Against Women Act and requests that this Service Center grant her self-petition so she can adjust status to that of a lawful permanent resident through her United States Citizen husband John DOE, who has subjected her to extreme cruelty. To deny this relief would cause her to have to leave the United States and not be able to continue with the life she has established for herself. Copies of documents submitted are exact photocopies of unaltered original documents. It is understood that it may be required to submit original documents at a later date. Thank you for your cooperation in this matter. Should you need anything further please do not hesitate to contact this office.

Respectfully,

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