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# Hughes Hubbard & Reed

## Hughes Hubbard Wins Asylum for Persecuted Mexican Man

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Hughes Hubbard & Reed secured asylum for a pro bono client who fled Mexico to escape a history of persecution due to his sexual orientation.

The client, now 29, had endured harassment and persecution from classmates and certain relatives in Mexico, including his father and uncle, since he was a boy. This harassment culminated in a vicious attack in 2003, when his persecutor pointed a gun at his head and threatened to kill him, beat him unconscious and sexually assaulted him.

After the attack, the client, then 17, fled to the United States with severe psychological trauma. However, due to panic attacks that could be triggered by any discussions of what happened in Mexico, the client was unable to seek counseling or legal assistance to apply for asylum within the one-year deadline. Eventually, following hospitalization for an attempted suicide, the client received sufficient mental health treatment to allow him to begin the process of applying for asylum. In late 2012, the client was referred to Hughes Hubbard by Immigration Equality, an outside pro bono organization.

The client applied for asylum in early 2013, but did not succeed at his initial hearing because he was applying approximately nine years after the one-year filing deadline. Due to the severe backlog in immigration courts, the merits hearing for his asylum application in front of an immigration judge was not scheduled until July 2015.

Before the hearing, Hughes Hubbard discussed the case with the Department of Homeland Security (DHS) and secured a tentative agreement that DHS would not oppose the client's application for asylum or his argument for an exception to the one-year filing deadline, pending a review of DHS' internal file that was not available in time for the merits hearing. After entering all evidence and testimony into the record on July 22, the case was adjourned to allow time for DHS to review the client's file. Following this review, DHS confirmed it had no new objections to the client's application for asylum.

As a result, the client received a final order granting asylum and legal status within the US in a brief hearing on

Oct. 22, the same day as his birthday. The client is now free to live in the US without fear of deportation and to continue his medical treatment for the trauma he suffered in Mexico.

Ken Aulet worked on this case with supervision from John Fellas.

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**John Fellas**