

JOAN LARSEN ON IMMIGRATION

Highlights:

- Joan Larsen ruled to deport an immigrant seeking asylum.

Larsen Ruled To Deport An Immigrant Seeking Asylum

LARSEN UPHELD THE DEPORTATION OF AN IMMIGRANT THAT SOUGHT ASYLUM

Luis Eduardo Cuellar Garcia Left El Salvador For The U.S. Where He Was Designated A Special Immigrant Juvenile

Garcia Arrived To The U.S. By Himself At The Age Of 17, He Was Designated As An Unaccompanied Alien Child And Was Designated A Special Immigrant Juvenile. According to People For The American Way, “Luis Eduardo Cuellar Garcia fled to the United States by himself to escape ‘rampant crime and violence’ and gang warfare in his native El Salvador at the age of seventeen. He was designated as an ‘unaccompanied alien child’ and, after a Texas juvenile court found that he should not be returned to El Salvador because he was receiving ‘insufficient parental protectio from gang attacks, was designated a ‘Special Immigrant Juvenile.’” [People For The American Way, [7/23/20](#)]

Garcia Was Deported Under A Trump Administration Policy

Due To A New Policy Adopted Under The Trump Administration Garcia Was Denied His Asylum Claim And Deported. According to People For The American Way, “Without notice, the government applied a ‘new, unwritten and informal’ policy to Cuellar-Garcia, and argued that he must adjudicate his asylum claim in immigration court, rather than with USCIS. Based on the new policy adopted under the Trump Administration, the government asked that the immigration judge reconsider his decision to decline jurisdiction over Cuellar-Garcia. The immigration judge promptly did so, denied the asylum claim, and deported Cuellar Garcia in June 2019.” [People For The American Way, [7/23/20](#)]

Larsen Denied Garcia’s Appeal For A Review Because He Was Not An Unaccompanied Alien Child

Larsen Joined A Ruling That Denied Garcia’s Appeal Because He Was Not An Unaccompanied Alien Child Who Applied For Asylum. According to People For The American Way, “Cuellar Garcia had sought to stay and contest the deportation order against him. His request for a stay was denied, as was his petition for review in a 2-1 decision by Judges Thapar and Larsen in June 2020. Judge Thapar summarily ruled against Cuellar Garcia’s claim that he should have received Special Immigrant Juvenile protections with USCIS, peremptorily holding that an immigrant like him must ‘be an ‘unaccompanied alien child’ when he applies for asylum,’ which was not the case here.” [People For The American Way, [7/23/20](#)]