

Judge Dismisses Suit to End Deportation Deferrals

By

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Kris W. Kobach, Kansas Secretary of State has filed lawsuit in Federal Court seeking Curb Illegal Immigration.

President Obama had issued policy memorandum to defer deportation of young undocumented immigrants and as of July 10, a total of 400, 562 youths had received deferral, which allow them to work legally. Many of the young undocumented immigrants in this category were eligible under the proposed Dream Act.

The Federal Court District Judge in Dallas dismissed the law suit filed by ICE to hold the administration program that gives reprieves from deportation to young undocumented aliens.

The Federal Court Judge Reed O'Conner concluded that his court did not have the jurisdiction to decide the suit, which was brought against Janet Napolitano because it was an administrative dispute between Federal employees and the government.

The lawsuit challenged a broader policy of prosecutorial discretion that the Obama administration adopted two years ago, to spare immigrants who do not have serious criminal records from deportation. The agents argued that immigration law required them to detain illegal immigrants they encountered, and they said Homeland Security officials, by instructing them to avoid some deportations, were ordering them to break the law.

This is good news for young undocumented immigrants whose deportation has been deferred and received permission to work.

We still await legislation of the Dream Act by the Congress, which will give them pathway to get the green card and ultimately US Citizenship.

For more information, please feel free to contact the Immigration and Nationality Lawyers at the NPZ Law Group at 201-670-0006 or by e-mailing us at info@visaserve.com.