

Venezuelans and Asylum Applications

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Intro:

Mr. Andrew Cuevas, Esq., is the President of Cuevas & Associates, P.A., and Vantage Property Title Company. Mr. Cuevas has been practicing law since 1993 in the area of Business Immigration Law and Commercial transactions, including commercial and residential real estate transactions and business acquisitions for foreign investors. If you have any questions regarding this article or any other questions, you can contact Mr. Cuevas at (305) 461-9500 or at acuevas@cuevaslaw.com. If you are interested in reading previous newsletters, please visit www.cuevaslaw.com, select the icon for **Newsletters**, and then choose the area of law you are interested in.

Venezuelans and Asylum Applications

There are many persons in Venezuela that qualify for political asylum, which results in the obtaining of U.S. Permanent Residency. Each case must be analyzed on its own merits.

In response to incomplete advice recently released through the media, AILA South Florida is warning Venezuelans about the danger of filing frivolous asylum applications. Unlike what recently televised statements suggest, not all Venezuelans qualify for asylum and the loss of a claim can result in removal from the U.S. and the loss of the ability to return to the U.S. in the future. A judicial decision that an asylum claim was frivolous or fraudulent will result in permanently barring the applicant from returning to the U.S. or obtaining lawful status in the U.S.

Asylum law is a very complex and specialized area of immigration law and the United States has an extremely strict approval process for granting asylum. Applicants must prove to have been persecuted or face persecution upon return to their home country due

to their, race, religion, nationality, political opinion or membership in a particular social group. General unrest, bad conditions, poor leadership and opposition to the current government in Venezuela do NOT warrant a grant of asylum.

As of this time, the U.S. government has granted no special relief to Venezuelan nationals.

This article is solely a partial explanation of all the issues related to the topic of this newsletter, and is not to be considered legal advice. Persons interested in obtaining more information should consult with their legal counsel to obtain explanations of all issues addressed herein.