

**UNITED STATES COF20 F APPEALS3922UN3199\_\_\_\_\_ hor**

**SUMMARY AND WAIVER OF ORAL ARGUMENT**

The Appellant, Mario Humberto Gonzalez-Godinez, filed this action pursuant to the Immigration and Naturalization Act §242, 28 U.S.C.S. §1252. The

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Barragan-Verduzco v. INS, 777 F.2d 424, 425 (8<sup>th</sup> Cir. 1985)

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## **JURISDICTIONAL STATEMENT**



**III. THE ATTORNEY GENERAL ABUSED ITS DISCRETION IN DENYING APPELLANT'S APPLICATION FOR ASYLUM AND WITHHOLDING OF DEPORTATION**

Nyonzele v. INS, 83 F.3d 975 (8<sup>th</sup> Cir. 1996)

## STATEMENT OF THE CASE

The Appellant, Mario Gonzalez-Godinez, is a single, male born on May 4, 1974. He is the oldest child of six brothers and sisters. Mario, before his arrival in the United States, lived with his family in El Palmar, Guatemala, where he was born. In Guatemala, Mario's father provided for the family and the family all worked to farm a small piece of land near their home. Mario was 18 years old when, fearing for himself and his family, he fled to the United States. Mario

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Only three months had passed since Mario had returned home, when the military once again took Mario back to a military base and jailed ha3 or two days. e

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## **SUMMARY OF ARGUMENT**

















The Appellant, in this case has satisfied each requirement in establishing eligibility for asylum; the board's failure to recognize these elements is further abuse of discretion.

In order to establish eligibility for a grant of asylum, an alien must demonstrate that he is a "refugee" within the meaning of §101(a)(42)(A) of the Immigration and Naturalization Act, 8 U.S.C. §1101(a)(42)(A). That definition c 0.2CD -0.6474 T



## **CERTIFICATE OF SERVICE**



