Alien File Number: [REDACTED]

1. To be explained to the alien by the asylum officer:

U.S. Citizenship and Immigration Services (USCIS) has determined that you do not have a credible fear of persecution or torture pursuant to 8 CFR 208.30 for the following reason(s):

A. ☒ You have not established a credible fear of persecution in your country of nationality, country of last habitual residence, or a country to which you have been ordered removed because:
   ☐ You have not indicated that you were harmed in the past and you have not expressed fear of future harm.
   ☒ There is no significant possibility that you could establish in a full hearing that the harm you experienced and/or the harm you fear is on account of your race, religion, nationality, political opinion, or membership in a particular social group.
   ☐ You have not indicated that you were harmed in the past, and there is no significant possibility that you could establish in a full hearing that the harm you fear is well founded.
   ☐ There is no significant possibility that you could establish in a full hearing that the harm you experienced or fear was/is sufficiently serious to amount to persecution.
   ☐ There is no significant possibility that you could establish in a full hearing that the entity that harmed you or would harm you was/is an agent of the government or an entity the government was/is unable or unwilling to control.

   AND

   ☒ You have not established a credible fear of torture in a country to which you have been ordered removed because you have not established that there is a significant possibility that:
   ☐ You would suffer severe physical or mental pain or suffering.
   ☐ The harm you fear would be specifically intended to inflict severe physical or mental pain or suffering.
   ☒ The harm you fear would be inflicted by or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity.
   ☐ The harm you fear would be inflicted while you are in the custody or physical control of the offender.
   ☐ The harm you fear would not arise only from, would not be inherent in, and would not be incidental to, lawful sanctions.

B. ☐ Considering the totality of the circumstances and all relevant factors, you have not established that your testimony is credible.

Therefore, you are ordered removed from the United States. You may request that an Immigration Judge review this decision.

If you request that an Immigration Judge review this decision, you will remain in detention until an Immigration Judge reviews your case. That review could occur as long as 7 days after you receive this decision.

If you do not request that an Immigration Judge review the decision, you may be removed from the United States immediately.

2. To be completed by the alien:

☐ Yes, I request Immigration Judge review of the decision that I do not have a credible fear of persecution or torture.
☐ No, I do not request Immigration Judge review of the decision that I do not have a credible fear of persecution or torture.

Applicant’s Last Name/ Family Name (Print)  Applicant’s First Name (Print)  Applicant’s Signature

Asylum Officer’s Last Name (Print)  Asylum Officer’s First Name, (Print)  01/02/2018

Date

The contents of this form were read and explained to the applicant in the language.

Interpreter used:
By telephone (list interpreter service/ID number used)

In person (I certify that I am fluent in both Spanish and English languages. I interpreted
the above information completely and accurately to the alien).

Interpreter’s Signature  Date

Telegonically

1/5/18

Form I-869 (02/15/17)
The following notes are not a verbatim transcript of this interview. These notes are recorded to assist the individual officer in making a credible fear determination and the supervisory asylum officer in reviewing the determination. There may be areas of the individual's claim that were not explored or documented for purposes of this threshold screening.

[Interpreter placed under oath]

Hello, my name is Officer X and I am the Asylum Officer who is going to conduct your interview today. We are having this interview because you told the US government that you are afraid to return to your home country.

Q. Do you still fear returning to your country?
A. The reason I don't want to return to my country is because we are poor and there is a lot of poverty in my country.

Q. What is your native language?
A. Spanish

Q. You feel comfortable having this interview in Spanish?
A. Yes Spanish

Q. Do you speak any other languages?
A. No

Q: Are you comfortable speaking with me today with your son in the room?
A: Yes

Q: Are you comfortable speaking to a female officer today?
A: Yes

Briefly explained purpose and process of credible fear interview

Q. The credible fear process is explained in further detail in a two-page form called the M-444. Do you remember receiving and signing the M-444 form which explains the credible fear screening process?
A. Yes

Q. Do you have any questions about the credible fear process?
A. My question is what was the outcome?

Q. We have not decided on an outcome. Once we have the interview today we will have an outcome.
A. Ok

Q. Do you have an attorney or a consultant?
A. No

The interpreter is now going to explain to you the purpose of this interview.

(1,28) The purpose of this interview is to determine whether you may be eligible for asylum or protection from removal to a country where you fear persecution or torture. I am going to ask you questions about why you fear returning to your country or any other country you may be removed to. It is very important that you tell the truth during the interview and that you respond to all of my questions. This may be your only opportunity to give such information. Please feel comfortable telling me why you fear harm. U.S. law has strict rules to prevent the disclosure of what you tell me today about the reasons why you fear harm. The information you tell me about the reasons for your fear will not be disclosed to your government, except in exceptional circumstances. The statements you make today may be used in deciding your claim and in any future immigration proceedings. It is important that we understand each
other. If at any time I make a statement you do not understand, please stop me and tell me so that I can explain it to you. If at any time you tell me something I do not understand, I will ask you to explain.

Q: Do you have any questions about what was just read to you?
A: Right now no

Q: Before we begin, I am going to place you under oath. Do you promise that all the statements you are about to make will be the truth, the whole truth and nothing but the truth?
A: what I am going to say is the truth.

[Applicant and son placed under oath]

Q: How is your health today?
A: It is fine

Q: Do you have any medical or health issues that I should be aware of?
A: No... but my son... put some ointment on my son’s feet due to some fungus.

Q: Do you have any medical or health issues that I should be aware of?
A: No... but my son... put some ointment on my son’s feet due to some fungus.

Q: Biographic Review

O: What is your true and complete name?
A:  

O: Have you ever used any other name?
A: No

O: What is your correct date of birth?
A:  

O: Have you ever used any other dates of birth?
A: No.

O: What country were you born in?
A: Guatemala

O: Are you a citizen of Guatemala?
A: Yes

O: Have you ever been a citizen of any other country?
A: No

O: Where were your parents born?
A: In Guatemala

O: Are they citizens of Guatemala?
A: Yes
O: Have either of your parents ever been to the United States or been U.S. citizens?
A: No

O: What was the address of the last place you lived at in your country?
A: ______ Guatemala

O: What is your religion?
A: Catholic

O: What is your ethnicity?
A: Hispanic

O: What is your marital status?
A: Free union

I am with ______. I don't know her birthday

O: How many children do you have?
A: I have three -

Q: What are their names and DOBs
A: ______

DOB: ______

is here with me.

O: Who would you reside with, in the United States, if you are released from the detention center?
A: My brother in law…

O: What is your highest level of education?
A: I only went to first grade.

Q: How many times have you come to the United States?
A: This is my first time.

Q: When did you leave your home country?
A: I left 8-10 days ago

Q: We have down that we encounter you on December 11, 2017, but when did you leave Guatemala
A: I don't remember

Q: Did you travel with any family members besides your son?
A: No

PERSECUTION

Q: Did anyone ever threaten or harm you in Guatemala?
A: No
Q: In Guatemala, did anyone ever treat you differently because of who you are and what you look like
A: Thank God no.

Q: In Guatemala, did anyone ever treat you differently because of the language you speak or the way you dress
A: No

Q: In Guatemala, did anyone ever treat you differently because of your religion
A: No

Q: In Guatemala, did anyone ever treat you differently because you are Hispanic
A: No

Q: In Guatemala, did anyone ever treat you differently because of your opinion about politics or your
A: No

Q: In Guatemala, did anyone ever treat you differently because of your connection to a group or association with a person
A: The truth no

Q: In Guatemala, did anyone ever treat you differently beliefs or the way you think?
A: Because my dad got sick and we owe money.

Q: Sir you said that you came to the US for economic reasons, can you tell me what other difficulties you experienced while in Guatemala
A: I did not have any jobs. Besides that nothing else

Q: Did anyone ever hit you when you were in Guatemala?
A: no

Q: Did anyone ever threatened you when you were in Guatemala?
A: No

Q: If you return to Guatemala what do you think would happened to you
A: The truth is that we don’t have any means to live

Q: Can you tell me why that is the situation
A: I don’t have a house, I don’t have a place to live

Q: Why don’t you have a house, why don’t you have a place to live
A: I have a ranch but no house

Q: Can you live on your ranch
A: we don’t have a house...in the winter the water comes in.

Q: Can you tell me why there is so much poverty
A: I don’t have any way. We were born poor. I cannot find any jobs.

Q: Why can’t you find jobs
A: there is no money there... you cannot get a job.

Q: Can you go to a big city and find work
A: No... because we live in the mountain range. It is difficult

Q: But you were able to get out and come here to the US
A: Yes. I decided to come here with my son.

Q: Is there anything about you that makes you different or makes people treat you differently than other people in your country?
A: Yes

Q: Do you have any reason to fear harm from the police, the government, public official, or anyone with any official authority in Guatemala?
A: No

Q: Do you believe that the police or government of Guatemala is harming you in any way?
A: No

Q: I think I have everything that I need. Is there anything else you would like to share with me?
A: No that is it.

Q: One more question for you. Would it be ok if I used the information you tell me to make a decision in the case of your son.
A: Yes

To dad: Would it be ok if I asked him a few questions?
A: yes

Q: Hi, my name is Officer, how are you doing today?
A: Well

Q: What's your full name?
A: [redacted]

Q: What's your birthday?
A: [redacted] 15 years old

Q: Are you ok speaking with me today with your dad in the room?
A: Yes.

Q: I want remind you that you promised to tell the truth today. OK
A: Yes

Q: Did anything bad ever happen to you in Guatemala?
A: No

Q: Did anyone ever threaten you in Guatemala?
A: No

Q: Did anyone ever hit you in Guatemala?
A: No

Q: Were you ever mistreated in any way in Guatemala?
A: No

Q: Do you believe that you might be hurt or mistreated because of your race or skin color?
A: No.

Q: Do you believe that you might be hurt or mistreated because of your ethnicity or language?
A: No.

Q: Do you believe that you might be hurt or mistreated because of your religion?
A: No.

Q: Do you believe that you might be hurt or mistreated because of your opinion about politics or your ideas, beliefs or the way you think?
A: No.

Q: Do you believe that you might be hurt or mistreated because of your ideas, beliefs or the way you think?
A: No.

Q: Do you believe that you might be hurt or mistreated because of your connection to a person or your association to a group?
A: Yes.

Q: When you were in Guatemala what kind of difficulties did you face?
A: The needs that we have... we have nothing. We only have a small ranch.

Q: Growing up in Guatemala, were you ever cold or hungry?
A: I was cold. I had no bed.

Q: Did you always sleep on the floor?
A: Yes.

Q: Can you tell me why your family is so poor?
A: We don't have anywhere to go for work.

Q: Can you go somewhere else in Guatemala and find work?
A: No.

Q: Why not?
A: I have no idea where to find work.

Q: I think I have everything that I need for your case. Is there anything else I should know about?
A: No.

Q: Would it be ok if I use the information that you just told me to make a decision in your dad's case?
A: Yes.

Now I have to ask you a series of questions that I ask all applicants.

Q: Have you ever served in the military, security forces, or police?
   No

Q: Have you ever been detained, questioned or arrested for any reason at any time anywhere in the world aside from your U.S. immigration arrest?
   No
Q: Have you ever been accused, charged with a crime, or convicted of a crime anywhere in the world?
   No
   No

Q: Have you ever committed a crime, even if you were not caught or punished for it?
   No
   No

Q: Have you ever harmed or helped to harm another person for any reason?
   No
   No

Q: Has anyone ever asked you to do something bad?
   No
   No

Q: Have you been involved with any gangs?
   No
   No

Q: Have you ever lied or said something that was not true in order to gain an immigration benefit?
   No
   No

Q: Those are all of the questions I have for you. Is there anything else that you would like to tell me that you have not already mentioned?
   No
   No

Q: Did you understand all of the questions that I asked you today?
   Yes
   Yes

Q: Did you understand your interpreter?
   Yes
   Yes

Q: Interpreter, did you understand the applicant?
   Yes
   Yes

I am going to prepare a summary of your testimony while the interpreter reads some information to you.

READ: (3.2) If the USCIS determines you have a credible fear of persecution or torture, your case will be referred to an immigration court. In the court you will be allowed to seek asylum or withholding of removal based on fear of persecution or withholding of removal under the Convention Against Torture. The USCIS District Director in charge of this detention facility will also consider whether you may be released from detention while you are preparing for your hearing. If the asylum officer determines that you do not have a credible fear of persecution or torture, you may ask an Immigration Judge to review the decision. If you are found not to have a credible fear of persecution or torture and you do not request review, you may be removed from the United States as soon as travel arrangements can be made. Do you have any questions?

A: No

APSO summarized the case to the applicant as required by section 3.3.

[Initials]

You said that you were never threatened or harmed in any way in Guatemala. You said that you live in poverty and
came to the United States because you are unable to find employment in your country. You did not think you could find a job anywhere in Guatemala because you cannot leave the mountain ranges where you live.

Son, you said that you were never threatened or harmed in any way in Guatemala. You said that you live in poverty and have experience cold in Guatemala. You came to the United States because you are unable to find employment in your country. You did not think you could find a job anywhere in Guatemala because you don't have any idea how.

Q: Do you agree with my summary of your case?
   Yes...
   Yes

Q: That is the end of the interview. Do you have any questions for me?
A: No

End: 09:51AM
Date: December 29, 2017
Re-Interview: ____________
Name: ____________
Interpreter: Lion Bridge 9CBBA125
Asylum Officer: ____________
Page 1 of 3

START TIME: 1:40 p.m.

Q: Good afternoon, sir. I've asked the interpreter to keep everything he hears confidential. Can you tell me your full name please?

A: ____________

Q: Before we begin I'm going to place you under oath. Do you promise to tell the truth, the whole truth, and nothing but the truth?

A: Yes.

Q: Last time you spoke with the official, she asked you if anyone ever treated you differently because of your beliefs or the way you think. You said that your dad got sick and you owe money. Can you tell me more about that?

A: I don't know about my father. It was my son who got sick. I wasn't able to do anything about that. He passed away. I don't want to return because we have to pay that money and we're trying to get ahead.

Q: Who do you owe money to?

A: It was a friend in Guatemala who let me borrow the money. He's been asking for money. I haven't been able to pay him. That's why I wanted to come here and live with a relative in Georgia so I can get the money.

Q: Did this friend ever mistreat, hurt, or threaten you?

A: He said, please I need this money right away, and if you don't give it to me, we're going to have to talk a different day.

Q: If you had to return to Guatemala, do you fear anyone would harm you?

A: I'm afraid that guy would threaten me again. I just want to be clear with that guy.

Q: You just said you fear that guy would threaten you again. Does that mean he threatened you before?

A: He told me he needed his money. I told him I'd pay him but couldn't right then. He said he needed the money pretty bad, and if I couldn't pay him, we'd have to talk another day. That's why I'm afraid to go back, because if I don't have the money I'm afraid he'd kill me.

Q: Why do you fear he'd kill you if you don't have the money?
A: Because he said if I didn’t pay him, we’d have to talk.

Q: But why does him saying you’d have to talk mean he’d kill you?

A: Because of the money. I honestly don’t have the means to pay him back.

Q: What is this man’s name?

A: [Redacted]

Q: He’s your friend?

A: No, he’s just someone I bothered to let me borrow that money, and he let me.

Q: Besides what he told you, is there anything else that makes you think he’d kill you to get the money?

A: I think he’d kill me, because it’s his money. And every 15 days he comes to try to collect.

Q: Did you ever hear about him killing someone else?

A: No.

Q: You ever see him carry a gun or weapon?

A: No, but people say he has a weapon.

Q: People say anything else about him?

A: That’s it.

Q: Last time, the officer asked you if there’s anything that makes you different or treated differently from other people. You said there was. What makes you different from other people?

A: Only that man.

Q: Is there anything about you that makes people look at you badly or discriminate against you for?

A: No.

Q: Last time the officer asked you if you might be hurt or mistreated because of your connection or association to a group. You said yes. What harm do you fear because of a group you belong to?

A: It’s not harm because of a group or anything. It’s just the guy I owe the money to, that’s all.
Q: Does this man belong to a criminal organization or gang?

A: I never heard that, but I don’t know. I just went to him. Maybe he does have his own gang because all he does is stay home and spend his time traveling.

Q: Did anyone ever hurt or threaten your child?

A: No.

Q: Is there any other harm that you suffered in the past that we haven’t discussed?

A: No.

Q: Is there anything else you wanted to tell me?

A: The only thing is that we don’t have a house, and we need to work. Everything I’ve told you is the truth. I can’t lie or else it’s sinning against God dearest.

Q: Thank you so much for answering my questions.

A: You’re welcome.

END TIME: 2:13 p.m.