

Regina and David Bakala's Asylum Hearing

Friday, January 26, 2007, 9:00 a.m.

U.S. Immigration Court of Judge O. John Brahos
Chicago, Illinois

"Save Regina" Update - January 18, 2007

In less than two weeks, the harrowing saga that began March 22, 2005, when armed Immigration agents took Regina Bakala from her family will finally be over. We are cautiously optimistic that both she and her husband, David, will both get full asylum. Please pray!

Thanks to many prayers and strong advocacy during her three months of imprisonment, Regina's case, once sabotaged by lawyers' negligence, was reopened June 6, 2005 by the Board of Immigration Appeals (BIA). The fact that David, who arrived after her case was over, had gotten a favorable ruling fit the "new evidence" required to reopen. Six months later, they reopened the asylum portion of his case. Now if David gets asylum, Regina is eligible on a derivative basis.

Regina supposedly had ignored an order of deportation after her appeal was denied in 2002, but notification was to have come through her lawyer and the attorney had neglected to tell the BIA she had earlier moved her law office. Neither of them had gotten the notice. Never mind whose fault it was, Regina was hauled off to Kenosha County Jail as a fugitive to await deportation.

In 1995, Regina had secretly fled the Democratic Republic of Congo after being raped and imprisoned for advocating democracy. She forbade anyone to tell David for fear of endangering him. Using false papers, she arrived in the U.S., July 29, 1995. Until their miraculous reunion two years later in America, neither knew what had happened to the other.

Regina's asylum petition was sabotaged by incompetent lawyers. She paid \$4000, all her money, to Lawyer #1 who was not an immigration lawyer. Because he never bothered to listen to her story, he did not catch the omission from the English translation of her affidavit of her 1994 imprisonment and rapes B a serious failure. After neglecting her case for over a year, he refused to go with her to court. Though pro bono Lawyer # 2 was granted six months to prepare, she met with Regina only once, the day before her hearing. The next day, Regina fell apart on the stand. The judge denied asylum, withholding of removal and voluntary departure. Lawyer #3 met with Regina once before filing her appeal, then failed to notify Immigration of the address change.

David arrived November 15, 1997. His political party had smuggled him out of a torture chamber deep underground where he had been awaiting execution. They put him on a plane to America. In 2004, Judge Brahos denied David asylum because he had applied after the one year limit, a law that had gone into effect too late to affect Regina's case. But believing David's story, the judge granted withholding of removal, which requires an even higher burden of proof than asylum.

With Regina's arrest, their world collapsed, but prayer moved mighty mountains! (Continued)

- G **March 22, 2005:** Regina is taken to Kenosha County Jail to await deportation to Congo.
- G **June 6, 2005:** BIA reopens Regina's case, based on David's favorable verdict, remanding it back to the original judge, William A. Cassidy in Atlanta.
- G **August, 2005:** BIA denies the asylum part of David's case; Attorney Hal Block counters.
- G **October, 2005, Master Calendar Hearing in Atlanta:** Regina and Atty. Mary Sfasciotti appear before Judge William A. Cassidy. Ms. Sfasciotti asks for a change of venue.
- G **December, 2005:** Judge Cassidy grants Sfasciotti's motion for change of venue to Chicago.
- G **January 30, 2006:** The BIA reopens the asylum portion of David's case and remands it back to his original judge, Judge O. John Brahos in Chicago.
- G **March 8, 2006:** Judge Brahos grants Sfasciotti's motion to combine the two cases.
- G **April 13, 2006, Master Calendar Hearing in Chicago:** David, Regina and both attorneys appear before Judge Brahos who sets January 26, 2007, for their combined hearing.
- G **January 26, 2007: THE HEARING!** Both lawyers, Hal Block and Mary Sfasciotti, will represent the couple, with Mr. Block taking the lead. Watch www.saveregina.org for results.

IF all goes as we hope and pray it will... HOLD THIS DATE!

You are invited!

ACelebration of Thanksgiving!@

Sunday, February 11, 2007, 3:30 p.m.

St. Mary Church, 9520 W. Forest Home Avenue, Hales Corners

Hosted by Regina & David Bakala and

The ASave Regina@ Committee

Thank you from Regina and David, and their attorneys, Mary Sfasciotti and Hal Block. They appreciate all your support and continue to feel your prayers! And a special thank you from me, their advocate and *author!* I guarantee that their incredible story that I am writing will grip your heart as it has mine. I hope to have the book proposal in the hands of an agent very soon.

Sister Josephe Marie Flynn, SSND

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