



HAYNES  
THOMPSON  
STEWARD, LLC

ATTORNEYS & COUNSELORS AT LAW

# DEFERRED ACTION



## CRUCITA FLECHA, ESQ.

IMMIGRATION AND  
BUSINESS ATTORNEY



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# DEFERRED ACTION



**WHAT IS DEFERRED ACTION?**

**WHO IS ELIGIBLE?**

**LITIGATION. AN UPDATE.**



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# DEFERRED ACTION



- **“ADMINISTRATIVE” PROGRAM**
- **TEMPORARY RELIEF FROM DEPORTATION**
- **COMPLETELY DISCRETIONARY**
- **DOES NOT GRANT LEGAL STATUS**
- **ALLOWS INDIVIDUALS TO APPLY FOR AN EMPLOYMENT AUTHORIZATION DOCUMENT**



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# DEFERRED ACTION FOR CHILDHOOD ARRIVALS



## THE EXISTING **DACA** PROGRAM

- 1. UNDER 31 AS OF JUNE 6, 2012**
- 2. ARRIVED IN THE U.S. BEFORE AGE 16**
- 3. PHYSICALLY PRESENT (WITH NO LAWFUL STATUS) IN THE U.S. ON JUNE 15, 2012 AND AT TIME OF APPLYING**
- 4. MET THE EDUCATIONAL REQUIREMENTS**
- 5. ARE NOT BARRED BY CRIMINAL ACTS; DO NOT POSE THREAT TO NATIONAL SECURITY OR PUBLIC SAFETY**



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# EXPANDED DEFERRED ACTION



## PRESIDENT IMMIGRATION ACCOUNTABILITY EXECUTIVE ACTION NOVEMBER 20, 2014

1. DEFERRED ACTION FOR PATERNAL  
ACCOUNTABILITY
2. EXPANDED **DACA**
3. OTHER IMMIGRATION ACTIONS



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# DEFERRED ACTION FOR PATERNAL ACCOUNTABILITY



## THE ENJOINED **DAPA** PROGRAM

- 1. PARENT OF A U.S. CITIZEN CHILD OR LPR**
- 2. CONTINUOUSLY RESIDED U.S. SINCE JAN. 1, 2010**
- 3. PHYSICALLY PRESENT IN U.S. SINCE NOV. 20, 2014**
- 4. ARE NOT BARRED BY CRIMINAL ACTS; DO NOT POSE THREAT TO NATIONAL SECURITY OR PUBLIC SAFETY**
- 5. PASS A BACKGROUND CHECK**



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# EXPANDED DACA



## THE ENJOINED **EXPANDED DACA** PROGRAM

1. **WOULD ALLOW INDIVIDUALS BORN PRIOR TO JUNE 15, 1981 TO APPLY**
1. **WOULD REQUIRE CONTINUOUS RESIDENCE IN U.S. SINCE JAN. 1, 2010**



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# LITIGATION. AN UPDATE.



## *STATE OF TEXAS, ET AL. V. UNITED STATES OF AMERICA, ET AL*

1. U. S. District Court S.D. of Texas Enjoined the implementation of DAPA and Expanded DACA on Feb. 16, 2015
2. U.S. Court of Appeals for the 5<sup>th</sup> Circuit Court granted Motion for Expedited Appeal on March 24, 2015

*CRANE V. JOHNSON*



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