Advancing Justice - Atlanta Disappointed by Federal Appeals Court's Decision Affirming Temporary Injunction of Expanded DACA and DAPA

Advancing Justice - Atlanta will continue policy advocacy work and immigration assistance for undocumented immigrants

NORCROSS, GA, November 10, 2015 — NORCROSS, GA - A three judge panel of the Fifth Circuit Court of Appeals voted Monday to affirm the temporary injunction issued by Texas Federal District Court Judge Andrew S. Hanen earlier this year in Texas v. United States, which put a temporary block on the implementation of President Obama’s 2014 Executive Order. The Executive Order would have expanded the Deferred Action for Childhood Arrivals (DACA) program and created a new Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program.

The South has the fastest growing Asian population in the country with a significant number of Asians lacking legal status. In Georgia alone, an estimated 20,000+ undocumented Asian Americans would have been eligible for these programs. Georgia is one of the Plaintiff states involved in this lawsuit.

Said Asian Americans Advancing Justice - Atlanta staff member and DACA recipient Raymond Partolan: "As the child of two immigrant parents who would both benefit from DAPA, I am incredibly disappointed in the Court's decision. Both of my parents are college educated and hold great potential to be full and active contributors to Georgia's economy and workforce. This decision not only adversely affects my family, but this state and this country because they are missing out on the fruits of a trained physical therapist and legal professional. My parents must now continue to live in the shadows, under the threat of arrest and deportation every day, as they have since we became undocumented in 2003 after overstaying our visas. Without the 2012 DACA, I would not have had the kind of courage to be the advocate that I am because I would still be living in the kind of fear in which my parents are still currently living. I would not have had the opportunity to work legally and drive legally in this country. I want the same for my parents who are, to me, the two hardest working individuals I have ever had the privilege of knowing. The conversation I had with my mother after the Court's decision was a tough one. We continue to hold onto hope that the Supreme Court will overturn the decision and that my parents can finally live their lives comfortably in the country they love."

In a 2-1 decision, the Court sided with the State of Texas’ arguments that it and the other 25 states in the lawsuit would be adversely affected by President Obama’s order and that the Obama administration failed to subject the changes to immigration procedures to an official notice and comment period.

The decision by the Court will not impact recipients of the original 2012 DACA program. In November of 2014, President Obama issued the Executive Order to expand DACA and create a brand new administrative relief program for qualified undocumented parents. The programs would provide for a temporary stay of deportation for qualified individuals unlawfully present in the United States. This designation allows beneficiaries of the program to be granted “lawful presence” in the United States, a federal work permit and, in Georgia and other states, eligibility for a driver’s license—thus allowing immigrant families to reach their full working potential.

"Though this decision is frustrating, it also serves as a signal to our community members that we cannot wait for others -- whether they be judges, politicians or lawyers -- to fix our unfair and inhumane immigration policies
while we sit on the sidelines," said Helen Kim Ho Executive Director of Advancing Justice - Atlanta. "This is not an 'us' vs. 'them' issue, we are all impacted so we must vote if and where we can, make calls to our elected officials, speak out and get involved without further excuse or delay," said Ho.

Asian Americans Advancing Justice - Atlanta will continue devoting significant time and resources next year advocating for more just public policies for undocumented immigrants in Georgia, particularly during the Georgia Legislative Session. In addition, it will continue to serve as a trusted legal resource by providing free and low-cost immigration legal consultation and services.

Individuals with immigration questions can contact Advancing Justice - Atlanta attorneys through our free multilingual legal hotline by calling (404) 890-5655, with services immediately available in English, Korean, Chinese, Vietnamese, Spanish, and Nepali. Individuals can also email us at immigration@advancingjustice-atlanta.org.

**About Asian Americans Advancing Justice - Atlanta**

Asian Americans Advancing Justice - Atlanta (formerly Asian American Legal Advocacy Center or AALAC) is the first non-profit law center dedicated to Asian immigrants and refugees (“Asian Americans”) in the Southeast.

Our goal is to engage, educate and empower under-represented Asian Americans to greater civic participation.

We are one of five independent organizations that make up the national Asian Americans Advancing Justice. Together with our affiliates in Chicago, DC, Los Angeles and San Francisco, we bring more than 100 years of collective experience in addressing the civil rights issues faced by Asian Americans and other vulnerable and underserved communities. Visit [www.advancingjustice-atlanta.org](http://www.advancingjustice-atlanta.org).