

TO: United States and Citizens Immigration Services
FROM: Elizabeth Saylor, Supervising Attorney
RE: Alice Lundgren – Form I-918 Petition for U Nonimmigrant Status
CASE #: A 21-454-988

DATE: June 20, 2025
Recipient's Address: Neighborhood Immigration Services
15 Wall Street
Franklin City, FR 33705

Dear USCIS Officer:

The purpose of this letter is to provide our client, Ms. Alice Lundgren, assistance with filing her petition for approval to the USCIS, in regard to her U Nonimmigrant Status.

You will find that Ms. Lundgren's Status (i.e., her 'U Visa'), includes all of the documentation needed to support all relevant state law, and will assist the court in its favorable ruling by awarding Ms. Lundgren the approval needed to retain her U Nonimmigrant Status. Within this petition, Ms. Lundgren feels certain that she has proven to the USCIS, why the court should find in favor of her status. We submit this *letter and Form I-918*, with all documents, as concrete evidence, in hopes of proving Ms. Lundgren's status, assisting the Court in approving our client's petition for her U-Visa.

(1). ROBBERY

The elements of Robbery have been met as Ms. Lundgren was a victim of a robbery, in which she sustained substantial physical and mental harm from the robbery, .

Under Olympia's broad state laws and statutes, robbery and felonious assault have been considered substantially similar to one another.

Here, Ms. Lundgren

In Olympia, the laws and statutes are much different from Franklin's.

Although, Olympia

has a much broader definition as to whether a robbery and a felonious assault are similar; here in Franklin and under the State Statutes, as well as the State's penal code provisions, these two crimes are very similar in nature.

Our client, was mugged across the street from her college campus on February 5, 2020,

as she went out to a coffee store across the street to purchase items there. As she crossed the street she was mugged from behind and she ultimately tripped and fell upon the suspect grabbing her backpack forcefully off of her back while down.

Moreover, Ms. Lundgren stated that she felt a “sharp pain” in her wrist. However, it was later determined by her physician (Dr. Charles Einhorn), who met all competency requirements and testified under oath, that her wrist was just bruised, although this is not substantial physical harm, the mental effects that came from that physical harm were substantial in nature. The Defendant was found guilty in the crime of robbery and therefore, it’s not a far stretch to argue that a felonious assault also took place from that robbery. By Officer Sanders refusing to arrest the Defendant for this crime it has caused us to now need to prove that both crimes of robbery and felonious assault are substantially similar in nature and in their elements.

Therefore, the USCIS should find that the elements of the first crime of robbery have been met.

(2). FELONIOUS ASSAULT

If there is not enough evidence to support the law on a felonious assault, it is our position to contrast both crimes and how both have substantially similar elements, under Franklin state statute’s.

Under 8 C.F.R. 214.4 (a)(9), the nature and the elements of a crime must be “*similar*” to the nature and the elements under a felonious crime. Within the Immigration and Nationality Act (INA), an alien qualifies for a U Visa if the alien has **(1)** suffered substantial physical or mental harm as a result of the criminal activity; **(2)** possesses information of that criminal activity; **(3)** has been helpful or is likely to be helpful to federal, state, or local law enforcement; and **(4)** the criminal activity violated the U.S. laws that took place within the U.S.

As stated above, the defendant was found guilty of robbery in the first trial.

Moreover, our client did show that physical injuries were present, even if the USCIS doesn’t agree. The USCIS may not agree due to the belief that Ms. Lundgren’s physical injuries were not “substantial” enough. We can argue that her mental pain was shown to be a factor in the weighing whether her injuries were “substantial” enough.

Additionally, Ms. Lundgren displayed a bloody face, and she felt “*a sharp pain,*” In her wrist immediately after being forced to the ground by the suspect, while robbing her of the backpack she had on her person.

Opposing party will argue that Ms. Lundgren's physical injuries are not enough to meet the element of "substantial physical harm."

In rebuttal, we can argue that she did in fact suffer substantial mental harm. We can also allow the evidence to show that but for Officer Sanders refusal to include within the police report that an aggravated assault had taken place (as he didn't find a weapon on the suspect's person when he arrived on scene). We argue that he should have at least certified to the fact that a felonious assault did in fact take place. Officer Sanders refusal to certify either a robbery or a felonious assault had taken place is what have created such harmful effects on our client in which she has felt far and wide.

Moreover, because our client never received the required *Form I-918, (Supplement B)*, in order to qualify for a U Visa, within the guidelines of the USCIS, we can prove that the elements and nature of the two crimes of robbery and felonious assault are substantially similar in nature and in the elements laid out under the statute. Our client didn't just meet one factor but instead she met several factors, under Franklin's state statutes. Ms. Lundgren was **(1)** "helpful" to law enforcement without being asked for information. Not only was Ms. Lundgren (an alien) taken down to the police station but she waited there for over an hour while she also provided her statement in a signed affidavit, **(2)** she also "possessed information that was helpful to law enforcement," in that she provided law enforcement with the last three numbers of the license plate in which the defendant jumped into that vehicle while it was speeding away from the crime scene; **(3)** our client assisted the prosecution (district attorney) by testifying in trial under penalty of perjury and identifying the suspect as the preparator who robbed her on that day and in which led to his conviction as qualifying criminal activity; and the defendants criminal activity not only violated U.S. law but also took place while within the U.S.; and finally **(4)** that both the crimes of robbery and felonious assault are substantially similar in nature and in both of its elements, which can be shown that the suspects' activity of robbery was a violation of the State law and even considered a violation under the local criminal laws (aka: felonious assault).

Because Ms. Lundgren met all four factors, under Franklin's State statutes (1.) The two crimes should be found to be substantially similar with one another, and (2) all elements presented will be shown to satisfy the state's statute under *8 C.F.R. Sectio 214.4*.

Therefore, the USCIS should determine that due to both crimes (robbery and felonious assault) being found to be substantially similar to one another, our client should be awarded a U Visa.

We want to thank the USCIS for its consideration in this petition. Please know that if your immigration officer has any further questions or needs any additional information to feel free to reach back out to our office, at any time.

Elizabeth Saylor, Supervising Attorney

cc. Alice Lundgren
“Enclosures” included