

# South Carolina Immigration Case Tests New Deportation Policy

Charlotte, North Carolina – The case of an undocumented Mexican in South Carolina who is fighting deportation with support from U.S. Rep. Luis Gutierrez (D-Ill.) will put the validity of the authorities' new discretionary policy to the test.

The fate of Gabino Sánchez, 27, will be decided Tuesday at an immigration court in Charlotte, and for Gutierrez it will shine a light on whether the Immigration and Customs Enforcement memorandum giving priority to expelling undocumented criminals "carries any weight."

"Gabino is an example of an immigrant who should not be deported," the congressman told Efe.

"If the Obama administration is serious about applying the policy of executive discretion, it should close the case of this immigrant," he said.

Sánchez came to the United States when he was 14. He settled in Ridgeland, South Carolina, worked in gardening and construction and eventually married and had two children.

His troubles began on Nov. 2 when police stopped him for speeding. Because he is undocumented and did not have a driver's license - and also has a history of fines for driving without a license - he was turned over to ICE.

If the new guidelines contained in an ICE memorandum issued last summer are applied, Sánchez, who has no criminal record and is the father of two U.S.-born children, should not be a candidate for deportation.

Gutierrez has accompanied Sánchez to two previous hearings at immigration courts as part of his strategy to keep an eye on compliance with the memorandum issued last summer by ICE Director John Morton.

In a video message filmed in Spanish and English, the congressman asks the community for a massive turnout on Tuesday at the court in Charlotte.

"I return to Charlotte to accompany Gabino, his wife and two children to continue fighting on behalf of immigrants, so that families are not separated, and to say 'no' to unjust deportations," Gutierrez said in his message.

Meanwhile more than 40 religious congregations have responded to the congressman's call and over the past few weeks have urged the faithful to turn up at the court to show their support for Sánchez.

"As a church and a community, we are suffering the separation of families. We have faith and we pray that Gabino will come out of this victorious and that he will set a precedent," Anibal Mercado, pastor of a church in Charlotte, told Efe.

Gutierrez has spurred the creation of defense committees in places like the Carolinas, New York, Maryland, Dallas, Chicago and San Francisco to identify cases like that of Sánchez and of dreamers who face deportation.

Attorney Marty Rosenbluth, executive director at NC Immigrant Rights Project who will represent Sánchez, will try to have the deportation order canceled.

The only crime Gabino has committed is driving without a license, the lawyer said, adding that on many occasion South Carolina cops used racial profiling to pull him over.

The current government has deported a record number of more than 1 million undocumented immigrants since 2009.

Read more: <http://latino.foxnews.com/latino/politics/2012/05/15/south-carolina-immigration-case-tests-obama-deportation-policy/#ixzz1v4deumJM>