

Wife fights to keep husband in U.S.

Martinez is here illegally, could be deported

Written by [Suzanne Weiss](#), Herald Times Reporter

MANITOWOC — His wife and four children want Jaime Martinez at home where, they say, he belongs.

Others might say that Martinez, who entered the United States illegally, belongs in his native Mexico.

The 32-year-old long-time Manitowoc resident is at Dodge County Detention Facility in Juneau waiting to hear if he will be deported.

His supporters held a candlelight vigil Friday at St. Thomas the Apostle Church in Newton to draw attention to his plight and to pray for the family.

"He was our sole provider," said his wife, Jennifer Martinez. "Now I'm trying to make ends meet for my kids and trying to help him to see what I can do to get him out."

The couple has two girls, ages 6 and 5, and two boys, ages 3 and 16 months.

"It's so hard on my kids. They don't know why their dad can't come back." Jennifer Martinez said. "They cry every night. They're so little. They want answers. I have nothing to give them."

The White House recently softened its stance on deporting people with strong family and community ties said Martinez's lawyer, Stacy Taeuber of Madison, who questions why those new guidelines aren't helping Martinez.

"If the goal is public safety and national security and to target dangerous criminals, that's obviously not Jaime," she said. "If the goal is to keep families together ... that family is just going to be devastated. Jennifer doesn't have anyone else. The policy seems to be made for people like Jaime."

Very active

For about a decade, Martinez has been active at the Manitowoc-Two Rivers Y, helping with its Turkey Trot and various tournaments, and has worked at Luigi's restaurant as a cook, Jennifer Martinez said.

The couple met in the United States 14 years ago and moved to Manitowoc in 2000. Their problems started in 2002, when they saw a Green Bay lawyer to find out how they could get legal status for Martinez so they could get married, Jennifer Martinez said.

The lawyer advised them to go to the U.S. Embassy in Mexico City and apply for a fiancé visa. They spent a year in Mexico only to be denied because of his original unlawful entry to the United States in 1998, she said.

They likely would have been more successful had they married here and then applied for legal status, Jennifer Martinez said.

After their fruitless trip to Mexico, Martinez returned to the United States illegally in 2003 and was deported.

"He came across the second time and we got married," Jennifer Martinez said.

"The sort of irony is that a lot of people who are from Mexico, it takes them several times to get over the border. The difference in Jaime's case is that he got caught and got a legal deport order," Taeuber said. "In this case, they are weighing that fact much heavier than the last 10 years of his life."

Martinez was picked up on an immigration hold about a month ago, Jennifer Martinez said.

His plea to remain in the United States was since denied by the Immigration and Customs Enforcement division in Chicago under prosecutorial discretion, she said.

Martinez's illegal re-entry is a felony and the ICE is focusing on "smart, effective immigration enforcement that prioritizes the removal of criminal aliens, recent border crosser and egregious immigration law violators, such as those who have been previously removed from the United States," according to a statement from the ICE public affairs office out of Chicago.

Martinez was found guilty last year in Manitowoc County Circuit Court of misdemeanor disorderly conduct and received a deferred judgment agreement, according to online court records. He also was convicted of misdemeanor disorderly conduct in 2000 and fined \$75. These cases had no bearing on his deportation proceedings, Jennifer Martinez said.

His fate now rests in the hands of the ICE division in Washington, D.C. Plans for sending him back to Mexico on Friday morning were temporarily curbed as he was granted an emergency stay of deportation Thursday evening. His wife is given 24-hour advance notice of when they plan to deport him.

An appeal has been forwarded to the public advocate's office along with petitions and letters of support from his employer, family, friends, neighbors, Y members and employees, family doctors and even one of the girl's teachers, Jennifer Martinez said.

"This is kind of like our last-ditch effort," she said. "If they deny it, they will deport him."

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