

# A productive life in immigration limbo

Opinion  
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After 12 years of productively working and building a family in this country, Julio Rosell should be entitled to legal status. In fact, as a Cuban national who was paroled into this country, he should be eligible for U.S. residency. That's what his lawyer and other immigration experts argue. Yet U.S. Citizenship and Immigration Services says he is not eligible. Ultimately this CIS decision could be tested in immigration court. But on its face, it makes no sense.

## Worked on freighter

Mr. Rosell's story begins 12 years ago when he fled from Cuba after being seen talking to a dissident. At the time, he worked on a Cuban freighter. Afraid that the regime might jail him, he jumped to a U.S. ship that was docked in Brazil. Nearly three weeks later, he was found famished and hiding in the engine room when the ship returned to the United States.

He was declared a stowaway, a classification that generally comes with a denial of legal status and deportation. Mr. Rosell, however, was granted humanitarian parole after he spent three months in immigration detention in Pennsylvania. There, he sang the Cuban national anthem to prove his nationality.

Afterward, he married a woman from Guyana. The couple has two U.S.-citizen children, 10-year-old Jeannette and 9-year-old Julio Jr. Mr. Rosell started his own custom furniture company, and the couple has built a thriving life in Hollywood.

Mr. Rosell has applied for U.S. residency, but CIS has denied his petition twice. The reason, says CIS Acting District Director Andrea J. Quarantillo, is because the stowaway charge remains. That may have been a valid reason to deny Mr. Rosell entry into the United States 12 years ago, but it doesn't make sense today.

Mr. Rosell, 41, should now be eligible for residency status under the Cuban Adjustment Act, his lawyer says. That law requires only that a Cuban be "inspected and admitted or paroled" and "physically present for at least a year," to be eligible for U.S. residency. Indeed, once a Cuban has been paroled into this country, how he arrived should not affect his eligibility for legal status under the law.

## Deportation unlikely

Yet now Mr. Rosell will have to wait to be put into deportation proceedings just to argue his case before a judge. Immigration authorities are unlikely to deport him to Cuba. Meanwhile, he and his family are stuck in limbo. Complicating matters, Mr. Rosell lost his parole documents. He must apply for copies of the documents to renew his work permit and driver's license. CIS should reconsider the rejection of his petition. Mr. Rosell should not have to wait for a deportation hearing or an act of Congress for a chance to legalize his status and resume a productive life.