

ZAIA LAW LLC
Guilherme Castilho Zaia, Esq. (SBN 334469)
11810 Grand Park Ave
North Bethesda, MD 20852
(267) 637-6123

Non-Detained

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
450 Main Street, Room 628
Hartford, CT 06103

In the Matter of)

Joao Ricardo Sampaio Pinto)

In Removal Proceedings)
_____)

File No. A. 241-136-264

Immigration Judge: **Straus, Michael W.**

Next Hearing Date: **August 20, 2026 at 1:00 PM**

RESPONDENT'S LEGAL BRIEF IN SUPPORT OF APPLICATION
FOR ASYLUM, WITHHOLDING OF REMOVAL AND
PROTECTION UNDER CAT

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**RESPONDENTS’ LEGAL BRIEF IN SUPPORT OF APPLICATION FOR ASYLUM,
WITHHOLDING OF REMOVAL, AND PROTECTION UNDER THE
CONVENTION AGAINST TORTURE**

I. INTRODUCTION

1. Respondent Mr. João Ricardo Sampaio Pinto (“Respondent”), by and through undersigned counsel, respectfully submits this brief in support of his application for asylum pursuant to section 208 of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1158, or, in the alternative, for withholding of removal pursuant to INA § 241(b)(3), 8 U.S.C. § 1231(b)(3), and for protection under the Convention Against Torture (“CAT”), 8 C.F.R. §§ 1208.16(c), 1208.17, 1208.18. Respondent seeks asylum based on his past persecution and well-founded fear of future persecution on account of his membership in the particular social group of gay men in Brazil and, cumulatively, his actual and imputed political opinion in opposition to the discriminatory treatment of LGBTQ+ individuals in Brazilian society. The persecutors are Respondent's former partner, Mr. Rafael Rodrigues, and members of Respondent's family and community — non-state actors whom the Brazilian government is unable and unwilling to control.

2. Respondent is a gay man from Brazil who, from early childhood, was punished by his family, his community, and his own former partner for who he is. He was bullied and sexually abused as a child because of his perceived sexual orientation; he was rejected by a deeply religious family; and as an adult, he was trapped in an abusive relationship in which his former partner secretly filmed him during a sexual encounter and used the recording to blackmail him,

coerce him into unwanted sexual contact with other men, and threaten his life. He did not go to the police, because he reasonably believed — consistent with the documented experience of other gay men in Brazil — that the police would dismiss his complaint as, in his words, “gay drama.”

3. Respondent's fear of returning to Brazil is not abstract¹. The U.S. Department of State, the Inter-American Commission on Human Rights, and Brazil's own Federal Public Defenders' Office have each documented that Brazil is among the most dangerous countries in the world for LGBTQIA+ people, and that violence — including domestic violence within same-sex relationships — routinely goes unpunished. As set forth below, Respondent has established past persecution and a well-founded fear of future persecution on account of his membership in a particular social group, and, cumulatively, on account of an imputed political opinion. In the alternative, Respondent is entitled to withholding of removal and to protection

II. STATEMENT OF FACTS

A. Background and Childhood

4. Respondent was born on September 24, 1984, in Poxoréu, in the state of Mato Grosso, Brazil. (Decl. ¶ 1). Poxoréu is a small, conservative city, and the Respondent's childhood there was marked by isolation and fear of exposure. (Decl. ¶¶ 2-6). Respondent's father, João Pinto Filho, was abusive and frequently assaulted Respondent, his mother, and his three sisters — Amanda Cristina Sampaio Vieira Pinto, Danyelly Sampaio Pinto Souza, and Andressa Costa Pinto. (Decl. ¶¶ 4-5). Respondent did not feel safe disclosing his sexual orientation to his family until he was twenty-six years old; when he did, his mother, a devout Seventh-day Adventist, wept and told him that his homosexuality was, in her religious view, wrong. (Decl. ¶¶ 7-8). Respondent eventually stopped attending church after repeatedly hearing that gay people were condemned by God. (Decl. ¶ 8).

5. At school, Respondent endured relentless bullying because of his perceived sexual orientation. Classmates called him slurs, accused him of only being able to befriend girls, and told him he belonged in the girls' restroom. (Decl. ¶ 9). At approximately eight years old, neighborhood men coerced Respondent into performing oral sex on multiple occasions, threatening to tell his parents if he refused. (Decl. ¶ 13). At approximately nine years old, a physical education teacher at his school sexually touched Respondent during a car ride and later

¹ See *Evidence Part 01 Country Conditions Reports*, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil) *Exh. 1*; CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)) *Exh. 2*; CC3 (Brazilian Federal Public Defenders' Office (DPU), Report on the Murder of LGBTQIAPN+ Individuals in Brazil) *Exh. 3*.

attempted to lure him to his home; Respondent, a child at the time and fearful of a man who was “highly respected in society,” told no one. (Decl. ¶¶ 14-16).²

B. The Abusive Relationship with Rafael Rodrigues

6. As a young adult living in São Paulo, Respondent met and began a relationship with a man named Rafael Rodrigues. (Decl. ¶ 20). The relationship quickly became one of escalating control and violence. Rafael lied repeatedly about his work and his life, disappeared for days at a time without explanation, and, when Respondent attempted to end the relationship, responded with threats of death — telling Respondent that he was “disposable” and that no one would even notice if his body were found. (Decl. ¶¶ 21, 27-28). On at least one occasion Rafael physically assaulted Respondent, leaving bruises, and repeatedly told him that gay men “deserved to suffer.” (Decl. ¶ 29).

7. The abuse escalated into sexual exploitation. Without Respondent's knowledge, Rafael secretly filmed him during a sexual encounter and then used the recording as leverage, demanding 20,000 reais and threatening to publish the video on pornographic websites if Respondent refused to pay. (Decl. ¶¶ 34-36). Unable to pay, Respondent remained in the relationship out of fear of exposure. (Decl. ¶ 37). Rafael then began bringing other men — always intoxicated or under the influence of drugs — to Respondent's home and coercing Respondent into sexual contact with them against his will. (Decl. ¶ 38). After discovering that a nude photograph had been taken of him without his knowledge during one of these encounters, Respondent described feeling “like garbage, completely powerless,” and stated that the only reason he did not take his own life was that he lacked the courage to do so. (Decl. ¶ 39).

8. Respondent never reported any of this abuse to the Brazilian police. In his own words: “I knew they would say it was just ‘gay drama’ and that there were more important things to deal with.” (Decl. ¶ 40). This is not a self-serving characterization.³ Brazilian press reporting documents the same dynamic: a 2020 article from the Brazilian news portal UOL describes a gay man in Brazil who stayed silent about domestic violence from his partner for seven years, explaining that he was “ashamed to say [he] was gay” and feared that reporting the abuse to police would result in ridicule rather than protection. Respondent's sister, Amanda Cristina Sampaio Vieira Pinto, corroborates that the family attempted to convince Respondent to seek help but recognized that “in our region, in our state of Mato Grosso, there is still a great deal of resistance against homosexuality” that made reporting futile. Respondent's sister Danyelly Sampaio Pinto Souza similarly attests that Rafael held Respondent “in captivity,” isolating him

² See Respondent's Personal Declaration, *Evidence Part 02*, Exh.1.

³ See *Evidence Part 01* Country Conditions Reports, CC10 (UOL News Portal, Domestic Violence Also Exists Among Gay Couples; Understand (June 16, 2020) Exhibit 10 .

from family and friends, and that the family understood reporting to be both futile and potentially dangerous given the prevailing prejudice against homosexuality in their region.⁴

C. Deteriorating Political Climate and Final Departure from Brazil

9. Respondent first traveled to the United States on a tourist visa in 2013, and again in 2014, before remaining in the United States from October 2015 until 2022, the period of his life in which he first felt safe living openly as a gay man. (Decl. ¶¶ 46-48). Respondent returned to Rondonópolis, Brazil in May 2022. (Decl. ¶ 49). His return coincided with the 2022 Brazilian presidential election, during which incumbent President Jair Bolsonaro's re-election campaign was associated with open hostility toward the LGBTQ+ community; Respondent describes this as “a very turbulent period” during which he was “terrified of going out in public or talking to people.” (Decl. ¶ 50).

10. During this period, Respondent made a public social media post defending the rights of LGBTQ+ people and received a wave of hateful responses, including comments asserting that gay people were “abominations” and calling for their “treatment.” (Decl. ¶ 55). Shortly afterward, while at a bar with friends, Respondent personally witnessed a group of men carrying Brazilian flags declare that the “era of gays” would soon be over — an episode that Respondent reasonably understood as a direct and immediate threat to his safety, and which precipitated his decision to flee the country. (Decl. ¶ 51).

11. Respondent left São Paulo and traveled through Panama, Honduras, and Belize before making a land crossing into Mexico and presenting himself to U.S. authorities at the San Ysidro port of entry on March 29, 2023. (Decl. ¶¶ 53, 57). Respondent did not seek protection in any transit country because each is itself documented to have high rates of violence against LGBTQ+ people and limited respect for the rights of that community. (Decl. ¶ 58).⁵

D. Procedural History

12. Respondent was served with a Notice to Appear dated April 2, 2023, charging him as removable under INA § 212(a)(6)(A)(i) as an alien present in the United States without having been admitted or paroled. Respondent timely filed his initial Form I-589, Application for Asylum and for Withholding of Removal, on December 19, 2023 — within one year of his last arrival in the United States. Respondent, through prior counsel, conceded the charge of removability at pleadings held on November 22, 2024. The Court's Finding of Removability and Scheduling Order, dated December 23, 2024, and filed with the Court on December 31, 2024, directed

⁴ See Respondent's Personal Declaration, Evidence Part 02, Exh. 1. See also Respondent's Additional Documents Letter of Support written by Maysa Gomes Rabelo (Evidence Part 03, Exh. 2) Letter of Support written by Danyelly Sampaio Pinto Souza (Evidence Part 03, Exh. 3).

⁵ See Respondent's Personal Declaration, Evidence Part 02, Exh. 1.

Respondent to file any additional applications and supporting evidence within sixty days. Pursuant to that order, Respondent filed an amendment to his Form I-589, together with a supporting declaration, country conditions evidence, witness declarations, and his passport, on February 21, 2025. Respondent thereafter retained undersigned counsel, who was substituted as counsel of record by order of the Court.

III. RESPONDENT'S APPLICATION FOR ASYLUM SHOULD BE DEEMED TIMELY FILED

13. Section 208(a)(2)(B) of the INA generally requires that an application for asylum be filed within one year of an applicant's last arrival in the United States. 8 U.S.C. § 1158(a)(2)(B); 8 C.F.R. § 1208.4(a)(2). Respondent satisfies this requirement on the face of the record: he last arrived in the United States on March 29, 2023, and filed his initial Form I-589 on December 19, 2023 — within the one-year period required by statute. No showing of changed or extraordinary circumstances is necessary, because the application was timely filed in the first instance.

14. The amendment to Respondent's Form I-589, together with his supporting declaration, country conditions evidence, and witness declarations, was filed on February 21, 2025, pursuant to the Court's Finding of Removability and Scheduling Order of December 31, 2024. That filing supplemented and elaborated upon the timely-filed original application — providing the detailed factual basis the original, bare-bones application had not yet included — and did not constitute a new or separate application subject to its own one-year deadline. The Court should accordingly find Respondent's application for asylum timely filed.

IV. ARGUMENT

A. Respondent Is Eligible for Asylum

1. Legal Standard

15. To qualify for asylum, an applicant must establish that he is a “refugee” — that is, a person unable or unwilling to return to his country of nationality “because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.” INA § 101(a)(42)(A), 8 U.S.C. § 1101(a)(42)(A); INA § 208(b)(1)(A), 8 U.S.C. § 1158(b)(1)(A). The protected ground must be “at least one central reason” for the persecution. INA § 208(b)(1)(B)(i), 8 U.S.C. § 1158(b)(1)(B)(i). An applicant who establishes past persecution is entitled to a rebuttable presumption of a well-founded fear of future persecution on the same ground. 8 C.F.R. § 1208.13(b)(1). Even absent past persecution, a well-founded fear exists where there is only a “slight, though discernible, chance of persecution” — as little as a ten percent probability. *INS v.*

Cardoza-Fonseca, 480 U.S. 421, 431, 440 (1987); Diallo v. INS, 232 F.3d 279, 284 (2d Cir. 2000).

2. Respondent Suffered Past Persecution

a. The cumulative harm Respondent endured rises to the level of persecution.

16. Persecution is not statutorily defined, but it has long been understood to encompass “a threat to life or freedom of, or infliction of suffering or harm upon, those who differ in a way regarded as offensive.” *Matter of Acosta*, 19 I&N Dec. 211, 222 (BIA 1985), modified on other grounds by *Matter of Mogharrabi*, 19 I&N Dec. 439 (BIA 1987). Persecution encompasses physical violence, sexual abuse, and psychological harm, and need not be limited to harm inflicted by a government actor. *See id.* at 222, 233. In evaluating a persecution claim, the agency “is required to consider the cumulative significance of the alleged incidents as opposed to the severity of each incident in isolation.” *Poradisova v. Gonzales*, 420 F.3d 70, 79-80 (2d Cir. 2005); *Manzur v. DHS*, 494 F.3d 281, 290 (2d Cir. 2007) (“taking isolated incidents out of context may be misleading; the cumulative effect of the applicant's experience must be taken into account”); *see also Matter of O-Z- & I-Z-*, 22 I&N Dec. 23, 25-26 (BIA 1998) (beatings, threats, vandalism, and humiliation may constitute persecution “in the aggregate”).

17. Viewed cumulatively, the harm Respondent suffered plainly rises to the level of persecution. As a child, Respondent was sexually abused on multiple occasions by adult men who exploited his fear of exposure. (Decl. ¶¶ 13-16). As an adult, Respondent was trapped for months in a relationship marked by physical assault, death threats, and — most severely — sexual exploitation: Respondent's former partner filmed him without consent during a sexual encounter, blackmailed him with the recording, and then used that same leverage to coerce Respondent into unwanted sexual contact with other men inside his own home. (Decl. ¶¶ 29, 34-38). This is not a case of isolated harassment or a single unpleasant incident; it is a sustained, years-long pattern of sexual and psychological abuse directed at Respondent because of who he is, compounded by his family's rejection and the homophobic violence he witnessed and feared in his community. Each element reinforces the others, and considered together — as the law requires — they establish past persecution. That this abuse came from different perpetrators, in different cities, and at different stages of Respondent's life — from neighborhood men and a teacher in his childhood, to his own family, to an intimate partner in adulthood — is itself telling: it is not the product of isolated misfortune, but a recurring pattern entirely consistent with the reality gay men face throughout Brazil, where, as set forth in Section IV.A.4 below, violence on account of sexual orientation is pervasive and routinely goes unpunished.⁶

b. Respondent is a member of the particular social group of gay men in Brazil.

⁶ *See* Respondent's Personal Declaration, *Evidence Part 02*, Exh. 1

18. A “particular social group” is one whose members share (1) a common immutable characteristic, (2) defined with particularity, and (3) social distinction within the relevant society. *Matter of M-E-V-G-*, 26 I&N Dec. 227, 237 (BIA 2014); *Matter of W-G-R-*, 26 I&N Dec. 208, 212-18 (BIA 2014); *Matter of Acosta*, 19 I&N Dec. at 233. The Board has long and repeatedly recognized that sexual orientation satisfies this standard. In *Matter of Toboso-Alfonso*, 20 I&N Dec. 819, 822-23 (BIA 1990), the Board held that homosexuals constitute a particular social group, reasoning that the “status of being a homosexual” is a characteristic that is either beyond the power of the individual to change, or so fundamental to individual identity that the individual should not be required to change it. The Board has since reaffirmed and clarified this holding, most recently in *Matter of C-G-T-*, 28 I&N Dec. 740, 745-46 & n.7 (BIA 2023), in which it confirmed that sexual orientation remains a cognizable particular social group and that adjudicators “should not expect a respondent to hide his or her sexual orientation if removed to his or her native country” in assessing future risk.

19. Respondent is a gay man, a status he cannot change and should not be required to change. Gay men in Brazil are readily identifiable as a discrete group within Brazilian society⁷ — a fact amply documented by the country conditions reports evidence, which separately catalogues the persecution, discrimination, and violence directed at this population as a recognized social class, distinct from Brazilian society generally. Respondent's membership in this group is well established, and the harm he suffered — from childhood sexual abuse premised on his perceived effeminacy, to his family's rejection on religious grounds, to the sexual exploitation he suffered at his former partner, Mr. Rafael's hands — was inflicted on account of that membership. (Decl. ¶¶ 2, 7-9, 13-16, 29).

c. The group is not impermissibly defined by the persecution itself.

20. A particular social group may not be defined solely by the harm its members suffer, but the existence of persecution does not disqualify an otherwise valid group whose defining characteristic exists independently of that harm. *See Matter of W-G-R-*, 26 I&N Dec. at 215. Respondent's defining characteristic — his sexual orientation — existed long before, and independently of, any persecution directed at him: it was apparent in his childhood interests and mannerisms well before he suffered any of the abuse described above. (Decl. ¶¶ 9, 11). The group of gay men in Brazil would exist, and would be socially distinct, whether or not any particular member is targeted for harm; it is Respondent's status, not the fact of any particular

⁷ *See Evidence Part 01* Country Conditions Reports, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil) Exh. 1; CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)) Exh. 2; CC3 (Brazilian Federal Public Defenders' Office (DPU), Report on the Murder of LGBTQIAPN+ Individuals in Brazil) Exh. 3; CC4 (Atlas of Violence, Violence Against the LGBTQIAPN+ Population) Exh. 4; CC11 (Diário de Cuiabá News Portal, Body of Murdered Homosexual Found in Rondonópolis) Exh 11.

reprisal, that defines the group. The persecution Respondent suffered is a consequence of his membership in that group, not its definition.⁸

d. Cumulatively, Respondent's public support for LGBTQ rights, and the imputed political opinion that resulted, contributed to the harm he fears.

21. Persecution may also be “on account of” an opinion imputed to the applicant by his persecutors, “regardless of whether or not this imputation is accurate.” *See Hernandez-Chacon v. Barr*, 948 F.3d 94, 102 (2d Cir. 2020). To establish a political-opinion claim, an applicant must show that the persecution “arises from his or her own political opinion,” meaning that the persecutor's motive to persecute arises from the applicant's actual or imputed political belief. *See Yueqing Zhang v. Gonzales*, 426 F.3d 540, 545 (2d Cir. 2005). Political opinion “encompasses more than electoral politics,” and opposition to a discriminatory social or political order may itself constitute a political opinion when it “transcends mere self-protection and represents a challenge to the legitimacy or authority of the ruling regime.” *Id.* at 547-48; *See also Castro v. Holder*, 597 F.3d 93, 100-06 (2d Cir. 2010) (political opinion is broad and fact-specific, and must be assessed within the applicant's political context); *INS v. Elias-Zacarias*, 502 U.S. 478, 482-83 (1992) (requiring evidence, direct or circumstantial, of the persecutor's motive).

22. Respondent publicly defended LGBTQ rights on social media during a presidential election in which the incumbent's campaign was associated with hostility toward the LGBTQ+ community, and was met in response with a wave of hateful comments and, shortly thereafter, an in-person threat from a group invoking nationalist political symbols. (Decl. ¶¶ 50-51, 55). Respondent's willingness to publicly take that position, in that political climate, is the kind of expressive conduct that *Hernandez-Chacon* recognizes can carry a political dimension independent of his particular social group claim. Political opinion and membership in a particular social group are independently sufficient grounds for asylum, not alternative or mutually exclusive theories of the case; INA § 208(b)(1)(B)(i) requires only that a protected ground be “at least one central reason” for the persecution, and a persecutor may act on more than one such ground at once. Counsel recognizes that the political-opinion evidence here is less extensively developed in the record than the evidence supporting Respondent's particular social group claim, and accordingly places primary weight on the latter; the political-opinion ground is presented as an independent, cumulative basis for relief, established by the same set of facts.

e. The persecution Respondent suffered was committed by persons the Brazilian government is unable or unwilling to control.

23. Persecution may be established where the harm is “inflicted either by the government of a country or by persons or an organization that the government was unable or unwilling to control.” *See Matter of Acosta*, 19 I&N Dec. at 222. The Second Circuit has likewise long

⁸ *See* Respondent's Personal Declaration, *Evidence Part 02*, Exh. 1

recognized that “private acts may be persecution if the government has proved unwilling to control such actions.” *See Ivanishvili v. U.S. Dep't of Justice*, 433 F.3d 332, 341-42 (2d Cir. 2006). The persecution Respondent fears — from his family, from members of his community, and from his former partner, Rafael Rodrigues — was inflicted entirely by private, non-governmental actors. An applicant is not required to report private persecution to the authorities where the record establishes that reporting would have been unavailing, and Respondent did not report this abuse because he reasonably believed that doing so would be futile. (Decl. ¶ 40).

24. This is not mere speculation.⁹ Brazilian press reporting and governmental and intergovernmental human rights reporting corroborate that Brazilian authorities and society routinely fail to credit domestic violence between same-sex partners and fail to adequately investigate or prosecute violence against LGBTQ+ individuals generally, leaving victims to endure abuse in silence out of fear of police indifference or ridicule.

3. Respondent's Protected Grounds Were at Least One Central Reason for the Persecution He Suffered

25. A protected ground need not be the sole cause of the harm; it must be “at least one central reason” for the persecution, and it fails this standard only if it is “incidental, tangential, superficial, or subordinate to another reason for harm.” INA § 208(b)(1)(B)(i), 8 U.S.C. § 1158(b)(1)(B)(i); *See Matter of J-B-N- & S-M-*, 24 I&N Dec. 208, 211-14 (BIA 2007). The persecutor's motive may be shown by direct or circumstantial evidence, including the persecutor's own statements and conduct. *Id.* at 213-14.

26. The record here leaves little room for doubt as to motive. Respondent's childhood abusers targeted him because they perceived him as effeminate and gay, and used that perception itself as a tool of coercion, calling him slurs tied directly to his sexual orientation while exploiting his fear of being outed to extract compliance. (Decl. ¶¶ 9, 13). His family's rejection was expressly and exclusively tied to his sexual orientation, as his mother's own words — condemning his homosexuality as religiously wrong — make clear. (Decl. ¶¶ 7-8). And Mr. Rafael's abuse was inseparable from Respondent's sexual orientation: Mr. Rafael, by Respondent's account a “homophobic gay man,” told Respondent directly that gay men “deserved to suffer,” weaponizing the very identity he shared with Respondent as a justification for the abuse he inflicted. (Decl. ¶ 29). Sexual orientation was not incidental to any of this conduct; it was the explicit and repeated subject of it.

⁹*See Evidence Part 01* Country Conditions Reports, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil) Exh. 01; CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)) Exh. 02; CC3 (Brazilian Federal Public Defenders' Office (DPU), Report on the Murder of LGBTQIAPN+ Individuals in Brazil) Exh. 03; CC10 (UOL News Portal, Domestic Violence Also Exists Among Gay Couples; Understand (June 16, 2020)) Exh. 10.

4. Respondent Has a Well-Founded Fear of Future Persecution

27. Having established past persecution, Respondent is entitled to a rebuttable presumption that he has a well-founded fear of future persecution on the same grounds, which the government may rebut only by establishing, by a preponderance of the evidence, that conditions in Brazil have fundamentally changed or that Respondent could reasonably relocate within Brazil to avoid future persecution. 8 C.F.R. § 1208.13(b)(1)(i)-(ii). Neither showing can be made here.¹⁰ Country conditions evidence — including reports from the U.S. Department of State, the Inter-American Commission on Human Rights, and multiple independent Brazilian and international news organizations — establishes that violence against LGBTQIA+ people in Brazil has not improved and, by multiple measures, has worsened in recent years.

28. Even absent a presumption arising from past persecution, Respondent's fear is independently well founded. A well-founded fear requires only a “reasonable possibility” of persecution — a standard satisfied by as little as a ten percent likelihood. *See Cardoza-Fonseca*, 480 U.S. at 431, 440; *Matter of Mogharrabi*, 19 I&N Dec. 439, 445 (BIA 1987). Respondent's fear is both subjectively genuine, as reflected in his declaration and corroborating witness statements, and objectively reasonable, as confirmed by extensive, specific, and recent country conditions evidence documenting the particular risks faced by gay men in Brazil generally and by victims of same-sex domestic violence specifically. (Decl. ¶¶ 53-60).¹¹

5. Respondent Cannot Reasonably Relocate Within Brazil

29. Because Respondent has established past persecution, a regulatory presumption arises that he possesses a well-founded fear of future persecution. Consequently, the burden shifts entirely to the government to demonstrate, by a preponderance of the evidence, both that Respondent could avoid future persecution by relocating to another area of Brazil and that, under all the circumstances, it would be reasonable to expect him to do so. 8 C.F.R. § 1208.13(b)(1)(i)(B), (b)(3); *see also Manzur v. DHS*, 494 F.3d 281, 286 (2d Cir. 2007). The government cannot satisfy either prong of this heavy evidentiary inquiry.

¹⁰*See Evidence Part 01* Country Conditions Reports, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil); CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)); CC4 (Atlas of Violence, Violence Against the LGBTQIAPN+ Population); CC6 (G1 News Portal, Number of Violent Deaths of LGBTQIAPN+ People in Brazil Increases, Survey Finds); CC7 (O Globo News Portal, Atlas of Violence: With Almost One Case Per Hour, Attacks Against the LGBTQIA+ Population Increase 39.4% in One Year); CC8 (Terra News Portal, Brazil Remains the World's Most Violent Country for LGBTQIAP+ People, Says Report); CC9 (Open Democracy News Portal, Brazil's LGBTQ Community Faces Surging Violence, But They're Fighting Back).

¹¹ *See* Respondent's Personal Declaration, *Evidence Part 02*, Exhibit 1; *See also Evidence Part 03* Letter of Support written by Maysa Gomes Rabelo (*Evidence Part 03*, Exh. 1) Letter of Support written by Amanda Cristina Sampaio Vieira Pinto (*Evidence Part 03*, Exh. 2); Letter of Support written by Danyelly Sampaio Pinto Souza (*Evidence Part 03*, Exh. 3) Letter of Support written by Ranielly Correia dos Santos (*Evidence Part 03*, Exh. 4)

30. The government can satisfy neither prong of this inquiry. Respondent's own history confirms the futility of internal relocation as a matter of fact, not speculation: he moved from his childhood home in Poxoréu to Rondonópolis, and later to São Paulo, and was nonetheless targeted by Rafael and his associates and, years later, by the threats he encountered upon his return to Rondonópolis itself in 2022. (Decl. ¶¶ 17-20, 49-52). There is no reason to believe that a further internal relocation would succeed where his prior moves did not.¹² The country conditions evidence confirms that anti-LGBTQ violence in Brazil is not confined to any single region but is documented nationwide, including in major urban centers such as São Paulo as well as in the interior of Mato Grosso. Nor would it be reasonable, in any event, to require Respondent to relocate to a part of Brazil where he would again be required to conceal his sexual orientation to remain safe — the very outcome the regulation and *Matter of C-G-T*- direct adjudicators not to impose.

a. Respondent's Flight History Factually Demonstrates the Futility of Internal Relocation

31. Respondent's personal history provides empirical, rather than speculative, proof that internal relocation is unavailing in Brazil. Respondent did not remain in a single geographic pocket; instead, his life in Brazil spanned from the conservative rural interior of Mato Grosso (Poxoréu and Rondonópolis) to the nation's largest metropolitan center (São Paulo). Yet, geographic displacement failed to attenuate his risk of harm. (Decl. ¶¶ 1-2, 20, 49) .

32. In São Paulo, Respondent was subjected to escalating physical violence, financial extortion, and severe sexual exploitation by an intimate partner who openly declared that gay men "deserved to suffer"—abuse that went entirely unchecked due to institutional police indifference toward same-sex domestic violence . (Decl. ¶¶ 20-21, 27-29, 34-36, 38, 40). Attempting to escape this trauma, Respondent later returned to Rondonópolis in May 2022. (Decl. ¶ 49) . Rather than finding safety, his return coincided with a volatile national climate where his public defense of LGBTQ+ rights provoked severe digital targeting, culminating in immediate, face-to-face threats of physical violence by politically motivated actors at a community establishment . (Decl. ¶¶ 50-51, 55) . Where an applicant has already attempted internal relocation and faced a continuation of targeted harm or existential threats, the government cannot establish that a subsequent relocation is a viable safety strategy. (Decl. ¶¶ 17-20, 49-52) .

b. Relocation is Inherently Unreasonable Under the Structural Factors of 8 C.F.R. § 1208.13(b)(3)

¹²See Evidence Part 01 Country Conditions Reports, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil) Exh. 01; CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)) Exh. 02; CC4 (Atlas of Violence, Violence Against the LGBTQIAPN+ Population) Exh. 04.

33. Even if hypothetical safety could be manufactured in an isolated region of Brazil, the government cannot meet its burden to show that relocation is "reasonable under all the circumstances." 8 C.F.R. § 1208.13(b)(1)(i)(B). Administrative regulations command adjudicators to evaluate a range of holistic factors, including "social and economic conditions," "geographic limitations," and the lack of familial or social infrastructure. 8 C.F.R. § 1208.13(b)(3).

34. Respondent is a survivor of chronic childhood sexual abuse, severe adult domestic captivity, and acute psychological degradation that brought him to the brink of suicide. (Decl. ¶¶ 9, 13-16, 21, 27-29, 34-39). Expecting a deeply traumatized individual to relocate to a completely unfamiliar region of a vast country—where he lacks any familial network, financial capital, or social safety net—is micro-economically and socially punitive. Furthermore, Respondent's family members, who reside in Mato Grosso, have explicitly documented that regional resistance to homosexuality is overwhelming, leaving them unable to provide a safe harbor or advocate for his safety before hostile local apparatuses. Forcing Respondent to live in structural isolation, completely detached from his limited support systems while managing severe psychological trauma, fails the standard of reasonableness codified in federal immigration law.¹³

c. Relocation Cannot Be Premised on the Impermissible Obligation to Conceal Sexual Orientation

35. The country conditions record establishes that anti-LGBTQIA+ animus and lethal violence are not localized anomalies but are structurally pervasive throughout Brazil. Independent monitoring bodies and governmental reports confirm that Brazil remains one of the world's deadliest nations for LGBTQIA+ individuals, with attacks surging nationwide, including a documented 39.4% increase in violence in a single year.¹⁴

36. To argue that Respondent could safely settle in a new jurisdiction ignores the reality that he would only achieve temporary safety by retreating into absolute invisibility. The Board of Immigration Appeals has explicitly rejected this premise, ruling that adjudicators "should not

¹³ See Respondent's Personal Declaration, *Evidence Part 02*, Exhibit 1; See also Letter of Support written by Amanda Cristina Sampaio Vieira Pinto (Evidence Part 03, Exh. 2); Letter of Support written by Danyelly Sampaio Pinto Souza (Evidence Part 03, Exh. 3).

¹⁴ See *Evidence Part 01* Country Conditions Reports, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil) Exh. 01; CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)) Exh. 02; CC4 (Atlas of Violence, Violence Against the LGBTQIAPN+ Population) Exh. 04; CC11 (Diário de Cuiabá News Portal, Body of Murdered Homosexual Found in Rondonópolis) Exh. 11. Country Conditions, CC6 (G1 News Portal, Number of Violent Deaths of LGBTQIAPN+ People in Brazil Increases, Survey Finds) Exh. 06; CC7 (O Globo News Portal, Atlas of Violence: With Almost One Case Per Hour, Attacks Against the LGBTQIA+ Population Increase 39.4% in One Year) Exh. 07; CC8 (Terra News Portal, Brazil Remains the World's Most Violent Country for LGBTQIAP+ People, Says Report) Exh. 08; CC9 (Open Democracy News Portal, Brazil's LGBTQ Community Faces Surging Violence, But They're Fighting Back) Exh. 09.

expect a respondent to hide his or her sexual orientation if removed to his or her native country" to avoid persecution. *See Matter of C-G-T-*, 28 I&N Dec. 740, 745-46 (BIA 2023).

37. Respondent has lived openly and with dignity as a gay man during his extended time in the United States, a period he describes as the first time he felt liberated from institutional shame. (Decl. ¶¶ 46-48). Because any successful internal relocation in Brazil would functionally require Respondent to systematically suppress his identity, lie about his personal life, and live under constant fear of exposure, the government's relocation defense fails as a matter of law.¹⁵

6. Respondent Should Not Be Required to Conceal His Sexual Orientation to Avoid Persecution

38. In assessing future risk, the Board has made clear that an adjudicator may not discount an applicant's fear of persecution on the theory that the applicant could avoid harm by concealing his sexual orientation. *See Matter of C-G-T-*, 28 I&N Dec. 740, 745-46 & n.7 (BIA 2023). Respondent lived openly as a gay man during his prior, extended residence in the United States and described that period as the first time in his life that he was not ashamed to be who he is. (Decl. ¶ 48). He should not be required to return to a life of concealment and fear in order to survive in Brazil.

7. Respondent's Credible Testimony, Corroborated by the Record, Establishes His Claim

39. Under the REAL ID Act, an applicant's testimony, standing alone, may be sufficient to sustain his burden of proof where it is credible, persuasive, and refers to specific facts sufficient to demonstrate eligibility for relief. INA § 208(b)(1)(B)(ii), 8 U.S.C. § 1158(b)(1)(B)(ii). Corroborating evidence may be required only where the trier of fact determines it should be provided and it is reasonably available to the applicant. *Id.*; *Diallo v. INS*, 232 F.3d 279, 285-86 (2d Cir. 2000) ("evidence corroborating [the applicant's] story, or an explanation for its absence, may be required where it would reasonably be expected"); *Liu v. Holder*, 575 F.3d 193, 198 (2d Cir. 2009) (where corroboration is found lacking, the applicant must be given notice of the specific evidence required and an opportunity to explain its absence).

40. Respondent's account is detailed, internally consistent, and corroborated in multiple, independent respects. Respondent's sisters, Amanda Cristina Sampaio Vieira Pinto and Danyelly Sampaio Pinto Souza, each independently corroborate the existence and severity of the abuse Rafael inflicted, including the blackmail over the secretly recorded video, notwithstanding that

¹⁵ *See* Respondent's Personal Declaration, *Evidence Part 02*, Exhibit 1;

neither sister ever met Rafael in person. A close friend, Maysa Gomes Rabelo, corroborates that Respondent confided in her about Rafael's coercive and controlling conduct contemporaneously with the abuse, and that she personally witnessed Rafael's possessive behavior during a video call. To the extent any further documentary corroboration might otherwise be expected, its absence here is readily explained: the abuse Respondent suffered was perpetrated privately, through threats and blackmail that by their nature were not memorialized, and Respondent did not report the abuse to police for the reasons already discussed. (Decl. ¶ 40). That explanation is itself corroborated by independent country conditions evidence documenting the same pattern of non-reporting among similarly situated gay men in Brazil. (CC10). On this record, Respondent's credible and consistent testimony, corroborated where corroboration is available and reasonably explained where it is not, is sufficient to sustain his burden of proof.¹⁶

8. Alternatively, Respondent Merits a Discretionary Grant of Humanitarian Asylum

41. Assuming *arguendo* that the Department of Homeland Security could demonstrate by a preponderance of the evidence that country conditions in Brazil have fundamentally changed or that internal relocation is safe and reasonable, Respondent remains independently eligible for a discretionary grant of asylum—commonly referred to as "humanitarian asylum"—pursuant to federal regulations. Under 8 C.F.R. § 1208.13(b)(1)(iii), an applicant who has established past persecution may be granted asylum in the exercise of discretion if they demonstrate either: (A) compelling reasons for being unwilling or unable to return to the country of nationality arising out of the severity of the past persecution, or (B) a reasonable possibility that they may suffer other serious harm upon removal to that country. *See* 8 C.F.R. § 1208.13(b)(1)(iii)(A)-(B); *see also Matter of L-S-*, 25 I&N Dec. 705, 710 (BIA 2012); *Matter of Chen*, 20 I&N Dec. 16, 19 (BIA 1989). Respondent's extraordinary record of lifetime trauma amply satisfies both alternative regulatory standards.

a. The Exceptional Severity of Respondent's Cumulative Past Persecution Constitutes Compelling Reasons

42. To determine whether an applicant possesses "compelling reasons" under 8 C.F.R. § 1208.13(b)(1)(iii)(A), adjudicators must evaluate the cumulative degree of physical and psychological harm inflicted upon the applicant over time. *See Matter of N-M-A-*, 22 I&N Dec. 312, 326 (BIA 1998). Respondent's entire life in Brazil was defined by severe, multi-layered trauma that spans from early childhood into adulthood, leaving permanent psychological scars. As a child of approximately eight and nine years old, Respondent was subjected to chronic

¹⁶ *See* Respondent's Personal Declaration, *Evidence Part 02*, Exhibit 1; *See also* Letter of Support written by Maysa Gomes Rabelo (*Evidence Part 03*, Exh. 1) Amanda Cristina Sampaio Vieira Pinto (*Evidence Part 03*, Exh. 2); Letter of Support written by Danyelly Sampaio Pinto Souza (*Evidence Part 03*, Exh. 3).

sexual abuse, physical touching, and coercive oral sex by neighborhood men and a trusted physical education teacher who exploited his perceived effeminacy and fear of societal exposure. (Decl. ¶¶ 13, 14-16). This fundamental violation of a minor's bodily autonomy occurred within a larger ecosystem of severe domestic distress, marked by a physically abusive father (Decl. ¶¶ 4-5) and subsequent psychological rejection by a devoutly religious mother who condemned his identity. (Decl. ¶¶ 7-8).

43. Far from attenuating in adulthood, this trajectory of persecution culminated in an unconscionable pattern of domestic captivity and sexual exploitation in São Paulo. Respondent was trapped by an intimate partner who subjected him to death threats, severe physical assaults leaving bruises, financial extortion under the threat of exposing non-consensual sexual recordings, and forced, unwanted sexual contact with multiple strange, drug-intoxicated men within his own residence. (Decl. ¶¶ 21, 29, 34-36, 38). The psychological degradation of these combined experiences was so severe that Respondent was reduced to feeling "like garbage, completely powerless," actively contemplating suicide as his only perceived escape. (Decl. ¶ 39). Forcing a survivor of lifelong, institutionalized, and domestic sexual torture to return to the geographic venue of his undoing—where his own family recognizes that regional prejudice renders state protection impossible—shocks the conscience and constitutes the precise paradigm of "compelling reasons" envisioned by *Matter of Chen*.¹⁷

b. Respondent Faces a Reasonable Possibility of Suffering Other Serious Harm Upon Removal

44. Alternatively, Respondent satisfies 8 C.F.R. § 1208.13(b)(1)(iii)(B) because there is a distinct, reasonable possibility that he will face "other serious harm" if removed to Brazil, an inquiry that asks whether the harm is so serious that it equals the severity of persecution, and need not be linked to a protected ground. *See Matter of L-S-*, 25 I&N Dec. 705, 714 (BIA 2012). If repatriated, Respondent would be thrust back into a national environment characterized by catastrophic levels of violence against LGBTQIA+ individuals, where anti-LGBTQ attacks have surged by 39.4% in a single year and domestic violence within same-sex relationships is systematically trivialized by law enforcement as mere "gay drama". (Decl. ¶ 40).¹⁸

45. The intense, nationwide hostility documented in the country conditions record—compounded by the direct, face-to-face nationalist political threats Respondent

¹⁷ See Respondent's Personal Declaration, *Evidence Part 02*, Exhibit 1; *See also* Letter of Support written by Amanda Cristina Sampaio Vieira Pinto (*Evidence Part 03*, Exh. 2); Letter of Support written by Danyelly Sampaio Pinto Souza (*Evidence Part 03*, Exh. 3).

¹⁸ *See Evidence Part 01* Country Conditions Reports, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil) Exh. 01; CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)) Exh. 02; CC3 (Brazilian Federal Public Defenders' Office (DPU), Report on the Murder of LGBTQIAPN+ Individuals in Brazil) Exh. 03; CC10 (UOL News Portal, Domestic Violence Also Exists Among Gay Couples; Understand (June 16, 2020) Exh. 10).

personally witnessed immediately prior to his flight (Decl. ¶ 51) —guarantees that his return would induce immediate, severe psychological re-traumatization and place his physical safety in constant jeopardy. Because the baseline of violence against gay men in Brazil remains among the highest in the world,¹⁹ requiring Respondent's return would inevitably expose him to a severe, unjustifiable risk of serious bodily or mental harm, independent of any changed circumstances defense. Accordingly, Respondent warrants a favorable exercise of administrative discretion to grant asylum on humanitarian grounds.

9. In the Alternative, Respondent Is Entitled to Withholding of Removal

46. Should the Court deny Respondent's application for asylum, Respondent is independently and legally entitled to withholding of removal pursuant to section 241(b)(3) of the INA, 8 U.S.C. § 1231(b)(3) . Unlike asylum, which remains a discretionary form of relief, withholding of removal is an absolute statutory mandate . The statutory language is explicitly imperative: the Attorney General shall not remove an alien to a country if it is determined that the alien's life or freedom would be threatened in that country on account of a protected ground. INA § 241(b)(3)(A). This mandatory relief requires a showing that it is “more likely than not”—meaning a clear probability—that Respondent would face such a threat if repatriated. 8 C.F.R. § 1208.16(b)(2); *INS v. Stevic*, 467 U.S. 407, 429-30 (1984) . Furthermore, as a matter of law, applications for withholding of removal carry no one-year filing deadline and are entirely unaffected by any timeliness bar under INA § 208(a)(2)(B) .

47. Respondent satisfies this higher evidentiary standard by operation of law. Pursuant to federal regulations, a showing of past persecution triggers a mandatory, rebuttable presumption that Respondent's life or freedom would be threatened in the future upon the same grounds. 8 C.F.R. § 1208.16(b)(1)(i) . As set forth extensively in Section IV.A above, Respondent has fully established that he endured severe physical, psychological, and sexual persecution in Brazil on account of his membership in a particular social group of gay men and, cumulatively, his actual and imputed political opinions . This showing shifts the heavy evidentiary burden to the Department of Homeland Security to demonstrate, by a preponderance of the evidence, either a fundamental change in country conditions or that internal relocation would be completely safe and reasonable. 8 C.F.R. § 1208.16(b)(1)(i)(A)-(B). Because the record demonstrates that nationwide violence against LGBTQIA+ individuals in Brazil has significantly deteriorated , and

¹⁹See *Evidence Part 01* Country Conditions Reports, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil) Exh. 01; CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)) Exh. 02; CC7 (O Globo News Portal, Atlas of Violence: With Almost One Case Per Hour, Attacks Against the LGBTQIA+ Population Increase 39.4% in One Year) Exh. 07. Country Conditions, CC4 (Atlas of Violence, Violence Against the LGBTQIAPN+ Population) Exh. 04; CC6 (G1 News Portal, Number of Violent Deaths of LGBTQIAPN+ People in Brazil Increases, Survey Finds) Exh. 06; CC8 (Terra News Portal, Brazil Remains the World's Most Violent Country for LGBTQIAPN+ People, Says Report) Exh. 08; CC9 (Open Democracy News Portal, Brazil's LGBTQ Community Faces Surging Violence, But They're Fighting Back) Exh. 09.

that Respondent's prior attempts at internal relocation completely failed to guarantee his safety, the government cannot overcome this presumption. Accordingly, because the threat to Respondent's life and freedom is a clear probability, the Court must grant withholding of removal.

10. In the Alternative, Respondent Is Entitled to Protection Under the Convention Against Torture

48. Should the Court deny both asylum and withholding of removal, Respondent is entitled to protection under the Convention Against Torture. Unlike asylum and withholding, CAT relief does not require any showing of nexus to a protected ground. 8 C.F.R. § 1208.16(c)(2). To constitute torture under the implementing regulations, an act must (1) cause severe physical or mental pain or suffering; (2) be intentionally inflicted; (3) be inflicted for a proscribed purpose; (4) be inflicted by, or at the instigation of, or with the consent or acquiescence of, a public official acting in an official capacity; and (5) not arise from lawful sanctions. *Matter of J-E-*, 23 I&N Dec. 291, 297-301 (BIA 2002); 8 C.F.R. § 1208.18(a). The applicant must show that it is more likely than not that he will be tortured if removed to the country of removal, and the agency must consider all relevant evidence, including evidence of past torture and country conditions. 8 C.F.R. § 1208.16(c)(3).

49. Respondent has already suffered conduct that satisfies the regulatory definition of torture. He was repeatedly coerced into unwanted sexual contact by Mr. Rafael Rodrigues and the other men Mr. Rafael brought into the Respondent's home, under threat of exposure and violence. (Decl. ¶ 38). This conduct was intentionally inflicted, not accidental or incidental, and was carried out for a proscribed purpose within the meaning of 8 C.F.R. § 1208.18(a)(1): Mr. Rafael's own stated purpose was to punish and degrade Respondent for being gay, telling him directly that gay men "deserved to suffer." (Decl. ¶ 29). Rape and other forms of forced sexual contact are recognized as among the most severe forms of harm cognizable under the Convention. *See Matter of H-C-R-C-*, 28 I&N Dec. 809, 814 (BIA 2024) (rape is "an extreme form of cruel and inhuman treatment" that is "sufficiently severe to qualify for protection under the CAT where the other elements are established"). Given this history, together with country conditions evidence documenting the murder, assault, and corrective sexual violence inflicted on gay men throughout Brazil, it is more likely than not that Respondent will suffer torture if he is removed to Brazil. (Decl. ¶¶ 54, 56).

50. The acquiescence element does not require that Brazilian officials directly inflict this harm; it is satisfied where officials are aware of the risk of torture and breach a legal responsibility to intervene, including through willful blindness. *Matter of S-V-*, 22 I&N Dec. 1306, 1312-13 (BIA 2000); 8 C.F.R. § 1208.18(a)(7). The country conditions evidence in the record establishes a pattern of governmental indifference to violence against LGBTQ+ Brazilians

generally, and to same-sex domestic violence in particular — including documented accounts of gay men who did not report abuse because they reasonably anticipated that police would not take their complaints seriously.²⁰ On this record, the Brazilian government's persistent failure to investigate, prosecute, or otherwise address violence of the kind Respondent fears amounts to acquiescence within the meaning of the regulation. Counsel recognizes that CAT relief requires both a probability of torture exceeding fifty percent and a showing of official acquiescence, and submits that the severity and specificity of the harm Respondent has already suffered, together with the documented pattern of governmental indifference described above, satisfy that standard.

V. CONCLUSION

51. For the foregoing reasons, Respondent respectfully requests that the Court grant his application for asylum. In the alternative, Respondent respectfully requests that the Court grant withholding of removal under INA § 241(b)(3), or, in the further alternative, protection under the Convention Against Torture.

Respectfully submitted,



Guilherme Castilho Zaia (SBN 334469)
Attorney at Law
11810 Grand Park Ave
North Bethesda, MD 20852
Counsel for Respondent

²⁰See *Evidence Part 01* Country Conditions Reports, CC1 (Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Brazil) Exh. 01; CC2 (U.S. Dep't of State, Country Reports on Human Rights Practices: Brazil (2025)) Exh. 02; CC3 (Brazilian Federal Public Defenders' Office (DPU), Report on the Murder of LGBTQIAPN+ Individuals in Brazil) Exh. 03; CC10 (UOL News Portal, Domestic Violence Also Exists Among Gay Couples; Understand) Exh. 10.

Proof of Service

On this day, I, Guilherme Castilho Zaia, served a copy of the following documents:

**RESPONDENT'S LEGAL BRIEF IN SUPPORT OF APPLICATION
FOR ASYLUM, WITHHOLDING OF REMOVAL AND
PROTECTION UNDER CAT**

To the following:

Office Location:	Mailing Address:
Office of the Principal Legal Advisor Department of Homeland Security Ribicoff Federal Building 450 Main Street, Room 483 Hartford, CT 06103-3060	US Immigration and Customs Enforcement US Department of Homeland Security Office of the Principal Legal Advisor Ribicoff Federal Building 450 Main Street, Room 483 Hartford, CT 06103-3060

by:

- Through the EOIR Courts and Appeals System (ECAS), which will automatically send service notification to both parties that a new document has been filed.



Guilherme Castilho Zaia (SBN 334469)
Attorney at Law
11810 Grand Park Ave
North Bethesda, MD 20852
Counsel for Respondent