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Non-Detained

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
1855 Gateway Blvd., Suite 850
Concord, CA 94520

In the Matter of	)	
Denis Enrique Tapia Maltez	)	**File No. A. 240-744-477**
In Removal Proceedings	)	

Immigration Judge: Arrache, Stephanie **Next Hearing Date:** May 4, 2027 at 8:30 a.m

RESPONDENT'S AMENDED APPLICATION FOR ASYLUM AND WITHHOLDING OF REMOVAL

UNITED STATES DEPARTMENT OF JUSTICE
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Denis Enrique Tapia Maltez	**File No. A. 240-744-477**
In Removal Proceedings	

RESPONDENT'S AMENDED APPLICATION FOR ASYLUM AND WITHHOLDING OF REMOVAL

COMES NOW, the undersigned counsel, Otavio Haverroth Silva, on behalf of Respondent Denis Enrique Tapia Maltez (A# 240-744-477), and respectfully submits an Amended Form I-589, Application for Asylum and Withholding of Removal.

In support of this submission, Counsel respectfully clarifies that this filing represents an Amended Application, submitted to supplement, clarify, and complete the initial Form I-589 previously filed on behalf of the Respondent.

As set forth in Respondent's declaration, the initial Form I-589 was prepared with the assistance of a non-attorney document preparer and subsequently lodged *pro se* without legal counsel. At that time, Respondent was unrepresented, navigating unfamiliar procedural rules, and recovering from severe trauma associated with the persecution experienced in Nicaragua and his journey to the United States.

Following an initial administrative rejection, Respondent attempted to mail the completed application package on his own, which was subsequently lost in transit. Exercising due diligence, Respondent personally traveled to the San Francisco Immigration Court on June 29, 2023, to hand-deliver the application. Consequently, the initial filing contained only a limited overview of his claim, which is now fully detailed and clarified in this amendment.

Now represented by undersigned counsel, Respondent submits this Amended Form I-589 to ensure a complete, accurate, and fully detailed record of his eligibility for Asylum, Withholding of Removal, and protection under the Convention Against Torture (CAT). This amended submission does not replace the core of his initial claim, but rather expands upon the facts, corrects minor omissions, and provides the necessary context and detail.

WHEREFORE, Respondent respectfully requests that the Honorable Immigration Court accept this Amended Form I-589 and incorporate it into the record as the operative application for relief.

Respectfully submitted,



Otavio Silva (Bar N. 343486)
Attorney at Law
P.O. Box 90487
San Diego, CA 92169
Counsel for Respondent

Application for Asylum and for Withholding of Removal

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0067
Expires 09/30/2027

START HERE - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application.

NOTE: ☒ Check this box if you also want to apply for withholding of removal under the Convention Against Torture.

Part A.I. Information About You

1. Alien Registration Number(s) (A-Number) *(if any)*	**2.** U.S. Social Security Number *(if any)*	**3.** USCIS Online Account Number *(if any)*
240744477	137-53-6388	N/A

4. Complete Last Name	**5.** First Name	**6.** Middle Name
TAPIA MALTEZ	Denis	Enrique

7. What other names have you used *(include maiden name and aliases)?*
N/A

8. Residence in the U.S. *(where you physically reside)*

Street Number and Name	Apt. Number
26409 Gading Road	6M

City	State	Zip Code	Telephone Number
Hayward	California	94544	(510) 9276570

(**NOTE:** *You must be residing in the United States to submit this form.*)

9. Mailing Address in the U.S. *(if different than the address in Item Number 8)*

In Care Of *(if applicable):*	Telephone Number
Otavio Haverroth Silva	(510) 2419336

Street Number and Name	Apt. Number
P.O. BOX 90487	N/A

City	State	Zip Code
San Diego	California	92169

10. Sex ☒ Male ☐ Female

11. Marital Status: ☐ Single ☒ Married ☐ Divorced ☐ Widowed

12. Date of Birth *(mm/dd/yyyy)*	**13.** City and Country of Birth
05/19/1982	Managua, Nicaragua

14. Present Nationality *(Citizenship)*	**15.** Nationality at Birth	**16.** Race, Ethnic, or Tribal Group	**17.** Religion
Nicaraguan	Nicaraguan	Latino	Evangelical

18. *Check the box, a through c, that applies:* **a.** ☐ I have never been in Immigration Court proceedings.

b. ☒ I am now in Immigration Court proceedings. **c.** ☐ I am **not** now in Immigration Court proceedings, but I have been in the past.

19. *Complete 19 a through c.*

a. When did you last leave your country? *(mm/dd/yyyy)* 05/30/2022 **b.** What is your current I-94 Number, if any? N/A

c. List each entry into the U.S. beginning with your most recent entry. *List date (mm/dd/yyyy), place, and your status for each entry. (Attach additional sheets as needed.)*

Date	Place	Status	Date Status Expires
06/14/2022	Calexito/CA	EWI	N/A
N/A	N/A	N/A	
N/A	N/A	N/A	

20. What country issued your last passport or travel document?	**21.** Passport Number C03266643	**22.** Expiration Date *(mm/dd/yyyy)*
Nicaragua	Travel Document Number N/A	02/15/2033

23. What is your native language *(include dialect, if applicable)?*	**24.** Are you fluent in English?	**25.** What other languages do you speak fluently?
Spanish	☐ Yes ☒ No	N/A

Part A.II. Information About Your Spouse and Children

For EOIR use only.	For USCIS use only.	Action:	Decision:
		Interview Date, if applicable:	Approval Date:
		Asylum Officer ID No.:	Denial Date:
			Referral Date:

Your spouse ☐ I am not married. (Skip to **Your Children** below.)

1. Alien Registration Number (A-Number) *(if any)*	2. Passport/ID Card Number *(if any)*	3. Date of Birth *(mm/dd/yyyy)*	4. U.S. Social Security Number *(if any)*
N/A	CO3241510	01/22/1981	N/A
5. Complete Last Name	**6.** First Name	**7.** Middle Name	**8.** Other names used *(include maiden name and aliases)*
HERNANDEZ CUBILLO	Karen	Johanna	N/A
9. Date of Marriage *(mm/dd/yyyy)*	**10.** Place of Marriage	**11.** City and Country of Birth	
01/05/2022	Managua, Nicaragua	Managua, Nicaragua	
12. Nationality *(Citizenship)*	**13.** Race, Ethnic, or Tribal Group	**14.** Sex	
Nicaraguan	Latina	☐ Male ☒ Female	

15. Is this person in the U.S.?

☒ Yes *(Complete Blocks 16 to 24.)* ☐ No *(Specify location):*

16. Place of last entry into the U.S.	17. Date of last entry into the U.S. *(mm/dd/yyyy)*	18. I-94 Number *(if any)*	19. Status when last admitted *(Visa type, if any)*
Miami/FL	05/03/2023	34303875OA3	Parolee
20. What is your spouse's current status?	**21.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)*	**22.** Is your spouse in Immigration Court proceedings?	**23.** If previously in the U.S., date of previous arrival *(mm/dd/yyyy)*
No status	N/A	☐ Yes ☒ No	N/A

24. If in the U.S., is your spouse to be included in this application? *(Check the appropriate box.)*

☐ Yes

☒ No

Your Children. List **all** of your children, regardless of age, location, or marital status.

☐ I do not have any children. *(Skip to Part A.III., Information about your background.)*

☒ I have children. Total number of children: 1.

(**NOTE:** *Use Form I-589 Supplement A or attach additional sheets of paper and documentation if you have more than four children.)*

1. Alien Registration Number (A-Number) *(if any)*	2. Passport/ID Card Number *(if any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. U.S. Social Security Number *(if any)*
N/A	N/A	Single	N/A
5. Complete Last Name	**6.** First Name	**7.** Middle Name	**8.** Date of Birth *(mm/dd/yyyy)*
TAPIA SANCHEZ	Gabriel	Henrique	06/01/2007
9. City and Country of Birth	**10.** Nationality *(Citizenship)*	**11.** Race, Ethnic, or Tribal Group	**12.** Sex
Managua, Nicaragua	Nicaraguan	Latino	☒ Male ☐ Female

13. Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☒ No *(Specify location)*: Managua, Nicaragua

14. Place of last entry into the U.S.	15. Date of last entry into the U.S. *(mm/dd/yyyy)*	16. I-94 Number *(If any)*	17. Status when last admitted *(Visa type, if any)*
N/A	N/A	N/A	N/A
18. What is your child's current status?	**19.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)*	**20.** Is your child in Immigration Court proceedings?	
N/A	N/A	☐ Yes ☒ No	

21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)*

☐ Yes

☒ No

Part A.II. Information About Your Spouse and Children (continued)

1. Alien Registration Number (A-Number) *(if any)*	2. Passport/ID Card Number *(if any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. U.S. Social Security Number *(if any)*
N/A	N/A	N/A	N/A
5. Complete Last Name	**6.** First Name	**7.** Middle Name	**8.** Date of Birth *(mm/dd/yyyy)*
N/A	N/A	N/A	N/A
9. City and Country of Birth	**10.** Nationality *(Citizenship)*	**11.** Race, Ethnic, or Tribal Group	**12.** Sex
N/A	N/A	N/A	☐ Male ☐ Female

13. Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A

14. Place of last entry into the U.S.	15. Date of last entry into the U.S. *(mm/dd/yyyy)*	16. I-94 Number *(If any)*	17. Status when last admitted *(Visa type, if any)*
N/A	N/A	N/A	N/A

18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)*	20. Is your child in Immigration Court proceedings?
N/A	N/A	☐ Yes ☐ No

21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)*

☐ Yes

☐ No

1. Alien Registration Number (A-Number) *(if any)*	2. Passport/ID Card Number *(if any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. U.S. Social Security Number *(if any)*
N/A	N/A	N/A	N/A
5. Complete Last Name	**6.** First Name	**7.** Middle Name	**8.** Date of Birth *(mm/dd/yyyy)*
N/A	N/A	N/A	N/A
9. City and Country of Birth	**10.** Nationality *(Citizenship)*	**11.** Race, Ethnic, or Tribal Group	**12.** Sex
N/A	N/A	N/A	☐ Male ☐ Female

13. Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: _____

14. Place of last entry into the U.S.	15. Date of last entry into the U.S. *(mm/dd/yyyy)*	16. I-94 Number *(If any)*	17. Status when last admitted *(Visa type, if any)*
N/A	N/A	N/A	N/A

18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)*	20. Is your child in Immigration Court proceedings?
N/A	N/A	☐ Yes ☐ No

21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)*

☐ Yes

☐ No

1. Alien Registration Number (A-Number) *(if any)*	2. Passport/ID Card Number *(if any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. U.S. Social Security Number *(if any)*
N/A	N/A	N/A	N/A
5. Complete Last Name	**6.** First Name	**7.** Middle Name	**8.** Date of Birth *(mm/dd/yyyy)*
N/A	N/A	N/A	N/A
9. City and Country of Birth	**10.** Nationality *(Citizenship)*	**11.** Race, Ethnic, or Tribal Group	**12.** Sex
N/A	N/A	N/A	☐ Male ☐ Female

13. Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A

14. Place of last entry into the U.S.	15. Date of last entry into the U.S. *(mm/dd/yyyy)*	16. I-94 Number *(If any)*	17. Status when last admitted *(Visa type, if any)*
N/A	N/A	N/A	N/A

18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)*	20. Is your child in Immigration Court proceedings?
N/A	N/A	☐ Yes ☐ No

21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)*

☐ Yes

☐ No

Part A.III. Information About Your Background

1. List your last address where you lived before coming to the United States. If this is not the country where you fear persecution, also list the last address in the country where you fear persecution. *(List Address, City/Town, Department, Province, or State and Country.)*
*(***NOTE:** *Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

Number and Street *(Provide if available)*	City/Town	Department, Province, or State	Country	Dates From *(Mo/Yr)*	Dates To *(Mo/Yr)*
Pulperia El Chaparral, 4 cuadras al norte, 1 cuadra oeste y 1/2 cuadra al Norte, barrio German Pomares	Managua	Managua	Nicaragua	08/2020	05/2022
N/A	N/A	N/A	N/A	N/A	N/A

2. Provide the following information about your residences during the past 5 years. List your present address first.
*(***NOTE:** *Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

Number and Street	City/Town	Department, Province, or State	Country	Dates From *(Mo/Yr)*	Dates To *(Mo/Yr)*
26409 Gading Road	Hayward	California	United States	03/2024	PRESENT
983 Delano Street	San Lorenzo	California	United States	07/2022	03/2024
Pulperia El Chaparral, 4 cuadras al norte, 1 cuadra oeste y 1/2 cuadra al Norte, barrio German Pomares	Managua	Managua	Nicaragua	08/2020	05/2022
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A

3. Provide the following information about your education, beginning with the most recent school that you attended.
*(***NOTE:** *Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

Name of School	Type of School	Location *(Address)*	Attended From *(Mo/Yr)*	Attended To *(Mo/Yr)*
Universidad Centroamericana	University	Rotonda Rubén Darío,150 metros ao oeste,Avenida Universitaria, Managua, Nicaragua	01/2006	12/2006
Universidad de Managua	University	Reparto Belmonte,Managua, Nicaragua	01/2000	12/2005
Instituto Elvis Diaz Romero	High School	4PJW+M55, 23 Calle Sureste, Managua, Nicaragua	01/1998	12/1999
Centro Escolar Enrique de Osso	Middle School	4Q3F+QHV, Camino La Mocliana, Managua, Nicaragua	01/1995	12/1997

4. Provide the following information about your employment during the past 5 years. List your present employment first.
*(***NOTE:** *Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

Name and Address of Employer	Your Occupation	Dates From *(Mo/Yr)*	Dates To *(Mo/Yr)*
Amazon, 44109 Pacific Commons Blvd, Fremont CA 94538	Stower/picker	11/2024	PRESENT
Quanta, 5567 Cushing Pkwy, Fremont CA 94538	Operator	09/2024	04/2025
Tropigas, Km 9.5 de la Carretera a la Refinería, Managua, Nicaragua	Maintenance Manager	02/2020	11/2021

5. Provide the following information about your parents and siblings (brothers and sisters). Check the box if the person is deceased.
(**NOTE**: *Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

Full Name	City/Town and Country of Birth	Current Location
Mother Francisca Maltez Guido	Managua, Nicaragua	☒ Deceased Deceased in 2012
Father Justo Pastor Tapia Arias	Managua, Nicaragua	☐ Deceased Managua, Nicaragua
Sibling Jennifer Elizabeth Tapia Maltez	Managua, Nicaragua	☒ Deceased Deceased in 2020
Sibling Yilmer Tapia Fuentes	Masaya, Nicaragua	☒ Deceased
Sibling Efrain Tapia Fuentes	Masaya, Nicaragua	☐ Deceased Managua, Nicaragua
Sibling Lea Tapia Fuentes	Masaya, Nicaragua	☒ Deceased

Part B. Information About Your Application

*(**NOTE:** Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part B.)*

When answering the following questions about your asylum or other protection claim (withholding of removal under 241(b)(3) of the INA or withholding of removal under the Convention Against Torture), you must provide a detailed and specific account of the basis of your claim to asylum or other protection. To the best of your ability, provide specific dates, places, and descriptions about each event or action described. You must attach documents evidencing the general conditions in the country from which you are seeking asylum or other protection and the specific facts on which you are relying to support your claim. If this documentation is unavailable or you are not providing this documentation with your application, explain why in your responses to the following questions.

USCIS may adjudicate your application without conducting an interview and without issuing a request for evidence. Your application and any supporting evidence that you provide now may be your only opportunity to meet your burden of proof to establish eligibility for asylum before USCIS.

Refer to Instructions, Part 1: Filing Instructions, Section II, "Basis of Eligibility," Parts A - D, Section V, "Completing the Form," Part B, and Section VII, "Additional Evidence That You Should Submit," for more information on completing this section of the form.

1. Why are you applying for asylum or withholding of removal under section 241(b)(3) of the INA, or for withholding of removal under the Convention Against Torture? Check the appropriate box(es) below and then provide detailed answers to questions A and B below.

I am seeking asylum or withholding of removal based on:

- ☐ Race
- ☒ Political opinion
- ☐ Religion
- ☒ Membership in a particular social group
- ☐ Nationality
- ☒ Torture Convention

A. Have you, your family, or close friends or colleagues ever experienced harm or mistreatment or threats in the past by anyone?

☐ No ☒ Yes

If "Yes," explain in detail:

1. What happened;
2. When the harm or mistreatment or threats occurred;
3. Who caused the harm or mistreatment or threats; and
4. Why you believe the harm or mistreatment or threats occurred.

I was repeatedly targeted because of my political opinion and my refusal to support the Ortega-Murillo regime in Nicaragua. In July 2018, during widespread civil conflict, I was confined to my workplace for approximately one week, as the area was the site of constant violent conflict between government forces and opposition groups. My direct physical persecution escalated in early 2020, when I was stopped near a CPC (Citizens' Power Council) rally while on my way to my future wife Karen's home. When I refused to join their political meeting, CPC members physically restrained me and stabbed me in the arm with a knife, robbing me of my wallet, documents, and salary. I know they were aligned with the government, because the person who attacked me assaulted other people, always wearing a red-and-black scarf, which are the government's colors. I sought emergency care at a hospital, but treatment was refused because I was injured by Sandinistas and lacked a required police report. The police subsequently refused to accept my complaint due to my political non-alignment. In August 2020, I moved in with Karen across from a public square where the CPC held regular rallies. From September 2020 onward, the harassment became severe and constant due to our location across from the square. CPC operatives subjected us to systematic surveillance and harassment, demanding our attendance at pro-government marches and threatening to shut down and loot Karen's small shop (pulpería) if we refused. See additional information.

B. Do you fear harm or mistreatment if you return to your home country?

☐ No ☒ Yes

If "Yes," explain in detail:

1. What harm or mistreatment you fear;
2. Who you believe would harm or mistreat you; and
3. Why you believe you would or could be harmed or mistreated.

If I return to Nicaragua, I fear imprisonment, physical harm, or death at the hands of the Ortega-Murillo government and its affiliated groups, particularly the CPC. I believe I would be targeted by government agents, CPC members, and pro-government individuals acting under state direction or with state acquiescence. I believe I remain at risk because the persecution I suffered did not end when I left the country. After I fled, CPC members continued to come to our home looking for me, and then went to my father's house asking where I was. In 2024, my father informed me that a law had been enacted specifically targeting Nicaraguans living abroad, allowing the government to seize their properties. Out of fear of losing my home, I took preventive legal measures and transferred ownership before anything could be taken from me. The fact that I felt compelled to act from thousands of miles away is a reflection of how real and ongoing that threat is. Returning from the United States as someone who fled the regime and sought protection abroad would make me an even greater target. The Nicaraguan government treats those who leave and seek asylum elsewhere as traitors, and I have no reason to believe I would be treated any differently. I fear harm because of my political opinion and my persistent refusal to support the Ortega-Murillo government - the same reason I was threatened, attacked, and denied protection before I left. Further details are included in my declaration.

Part B. Information About Your Application (continued)

2. Have you or your family members ever been accused, charged, arrested, detained, interrogated, convicted and sentenced, or imprisoned in any country other than the United States (including for an immigration law violation)?

☒ No ☐ Yes

If "Yes," explain the circumstances and reasons for the action.

3.A. Have you or your family members ever belonged to or been associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organization, military or paramilitary group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press or media?

☒ No ☐ Yes

If "Yes," describe for each person the level of participation, any leadership or other positions held, and the length of time you or your family members were involved in each organization or activity.

3.B. Do you or your family members continue to participate in any way in these organizations or groups?

☒ No ☐ Yes

If "Yes," describe for each person your or your family members' current level of participation, any leadership or other positions currently held, and the length of time you or your family members have been involved in each organization or group.

4. Are you afraid of being subjected to torture in your home country or any other country to which you may be returned?

☐ No ☒ Yes

If "Yes," explain why you are afraid and describe the nature of torture you fear, by whom, and why it would be inflicted.

I fear being subjected to torture if returned to Nicaragua. The Ortega-Murillo government and the CPC have already subjected me to physical violence. In 2020, CPC members stabbed me in the arm when I refused to participate in a government-mandated political gathering, and both the police and the hospital denied me protection and care as a direct consequence of my political opposition. If returned, I fear that I would be arbitrarily arrested, without a warrant or any legal process by police, government agents, or CPC members, simply because of my known opposition to the regime and because I fled Nicaragua and sought protection in the United States. I fear that while detained, I would be beaten, held incommunicado, denied food and medical care, and threatened with harm to my family in order to punish me and force my submission to the regime. I also fear psychological abuse through constant threats and surveillance, restrictions on my freedom of movement, denial of employment due to my lack of political affiliation, and ongoing retaliation against my father and my son, who remain in Nicaragua. The treatment I have already experienced, such as physical attack, denial of medical care, and police refusal to protect me, reflects a pattern that I have every reason to believe would intensify upon my return. Further details are included in my declaration.

Part C. Additional Information About Your Application

You should ensure that your explanations are complete and detailed. An asylum officer may adjudicate your application without conducting an interview or requesting additional evidence.

(**NOTE:** *Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part C.*)

1. Have you, your spouse, your child(ren), your parents or your siblings ever applied to the U.S. Government for refugee status, asylum, or withholding of removal?

☐ No ☒ Yes

If "Yes," explain the decision and what happened to any status you, your spouse, your child(ren), your parents, or your siblings received as a result of that decision. Indicate whether or not you were included in a parent or spouse's application. If so, include your parent or spouse's A-number in your response. If you have been denied asylum by an immigration judge or the Board of Immigration Appeals, describe any change(s) in conditions in your country or your own personal circumstances since the date of the denial that may affect your eligibility for asylum.

My spouse, Karen Johanna Hernandez Cubillo, filed an affirmative asylum application before USCIS on 2024, which remains pending. No decision has been issued on her case. I am not included as a derivative beneficiary on her application.

2.A. After leaving the country from which you are claiming asylum, did you or your spouse or child(ren) who are now in the United States travel through or reside in any other country before entering the United States?

☐ No ☒ Yes

2.B. Have you, your spouse, your child(ren), or other family members, such as your parents or siblings, ever applied for or received any lawful status in any country other than the one from which you are now claiming asylum?

☒ No ☐ Yes

If "Yes" to either or both questions (2A and/or 2B), provide for each person the following: the name of each country and the length of stay, the person's status while there, the reasons for leaving, whether or not the person is entitled to return for lawful residence purposes, and whether the person applied for refugee status or for asylum while there, and if not, why he or she did not do so.

After leaving Nicaragua on May 30, 2022, I traveled by land through Honduras, Guatemala, and Mexico before entering the United States. I did not hold legal status in any of these transit countries, nor was I offered or seeking lawful residence. In Honduras, I remained for only one day and did not apply for asylum. Honduras shares a direct border with Nicaragua, and I feared my personal information could be shared with the Nicaraguan authorities. I did not believe Honduras could or would protect a Nicaraguan fleeing the regime. In Guatemala, I stayed for only one day in continuous transit. I did not apply for asylum there because I was in immediate transit, lacked the knowledge and conditions to initiate a legal process, and did not believe Guatemala would afford adequate protection to a Nicaraguan fleeing political persecution. In Mexico, I stayed for approximately two weeks solely as a passage of survival, experiencing extreme violence, abuse, and exploitation. The men controlling our group subjected us to severe deprivations, holding us in precarious conditions with little food or shelter, and threatened a Venezuelan mother and her children with death when she complained. See additional information.

3. Have you, your spouse or your child(ren) ever ordered, incited, assisted or otherwise participated in causing harm or suffering to any person because of his or her race, religion, nationality, membership in a particular social group or belief in a particular political opinion?

☒ No ☐ Yes

If "Yes," describe in detail each such incident and your own, your spouse's, or your child(ren)'s involvement.

Part C. Additional Information About Your Application (continued)

4. After you left the country where you were harmed or fear harm, did you return to that country?

☒ No ☐ Yes

If "Yes," describe in detail the circumstances of your visit(s) (for example, the date(s) of the trip(s), the purpose(s) of the trip(s), and the length of time you remained in that country for the visit(s).)

I entered the United States on June 14, 2022. Upon arrival I was detained by immigration authorities for approximately fifteen days. I was released with no command of English, and no legal representation, and no one explained to me what asylum was or that any deadline applied to my case. Once I learned about the deadline, I acted to meet it. With the assistance of a non-attorney preparer, I completed and signed my Form I-589 on April 27, 2023 — nearly two months before my deadline — and mailed it to the immigration court. The court returned that package to me because the application was not properly completed. I corrected it and mailed the same signed application to the court a second time, again before my one-year deadline expired. I never received a receipt, a notice, or any other response to that second mailing. As the weeks passed with no word from the court, I grew concerned that something had gone wrong. I took the copy of the signed application that I had kept and went to the San Francisco Immigration Court in person. Only then did I learn that the court had no record of ever receiving my application. The clerk accepted and date-stamped the copy I brought with me that day, June 29, 2023. I do not know what became of the application I mailed. I cannot say whether it was lost before it reached the court or was received but never recorded. What I do know is that the application now in the court's file is the same one I signed on April 27, 2023 — the signature and the date I wrote on it are from that day — and that I mailed it twice, well within my first year in the United States, believing that mailing it was how one filed with the court. My application was date-stamped [fifteen] days after my one-year deadline. That delay did not come from any decision of mine to wait. It came from a rejected first mailing, a second mailing that never reached the court's record, and the time it took me to realize that and travel to the court myself. This current submission is an amended and supplemented application, prepared with the assistance of legal counsel, to provide complete factual details and supporting documentation.

5. Are you filing this application more than 1 year after your last arrival in the United States?

☐ No ☒ Yes

If "Yes," explain why you did not file within the first year after you arrived. Your written explanation may be your only opportunity to have an asylum officer consider your reason(s). If you are scheduled for an asylum interview or a hearing with an immigration judge, you must be prepared to explain at your interview or hearing why you did not file your asylum application within the first year after you arrived. For guidance in answering this question, see Instructions, Part 1. Filing Instructions, Section V. Completing the Form, Part C.

6. Have you or any member of your family included in the application ever committed any crime and/or been arrested, charged, convicted, or sentenced for any crimes in the United States (including for an immigration law violation)?

☐ No ☒ Yes

If "Yes," for each instance, specify in your response: what occurred and the circumstances, dates, length of sentence received, location, the duration of the detention or imprisonment, reason(s) for the detention or conviction, any formal charges that were lodged against you or your relatives included in your application, and the reason(s) for release. Attach documents referring to these incidents, if they are available, or an explanation of why documents are not available.

When I entered the United States through Calexico, California, on June 14, 2022, I was detained by U.S. immigration authorities and charged under INA $ 212 (a)(6)(A)(i) for being present in the United States without being admitted or paroled. I remained in immigration detention for approximately fifteen days, after which I was released. I was not released on parole. The sole reason for my entry into the United States was to seek safety and protection from the persecution I faced in Nicaragua. Apart from this immigration-related violation concerning my manner of entry, I have never violated U.S. law or engaged in any conduct that could be considered criminal.

Part D. Your Signature

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. Title 18, United States Code, Section 1546(a), provides in part: Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement or which fails to contain any reasonable basis in law or fact - shall be fined in accordance with this title or imprisoned for up to 25 years. I certify that I am physically present in the United States or seeking admission at a Port of Entry when I execute this application. I authorize the release of any information from my immigration record that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.

WARNING: **Applicants who are in the United States unlawfully are subject to removal if their asylum or withholding claims are not granted by an asylum officer or an immigration judge. Any information provided in completing this application may be used as a basis for the institution of, or as evidence in, removal proceedings even if the application is later withdrawn, and even if USCIS does not conduct an interview on the application. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act. You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application. If filing with USCIS, unexcused failure to appear for an appointment to provide biometrics (such as fingerprints) and your biographical information within the time allowed may result in an asylum officer dismissing your asylum application or referring it to an immigration judge. Failure without good cause to provide DHS with biometrics or other biographical information while in removal proceedings may result in your application being found abandoned by the immigration judge. See sections 208(d)(5)(A) and 208(d)(6) of the INA and 8 CFR sections 208.10, 1208.10, 208.20, 1003.47(d) and 1208.20.**

Print your complete name.	Write your name in your native alphabet.
Denis Enrique Tapia Maltez	N/A

Did your spouse, parent, or child(ren) assist you in completing this application? ☒ No ☐ Yes *(If "Yes," list the name and relationship.)*

N/A	N/A	N/A	N/A
(Name)	*(Relationship)*	*(Name)*	*(Relationship)*

Did someone other than your spouse, parent, or child(ren) prepare this application? ☐ No ☒ Yes *(If "Yes," complete Part E.)*

Asylum applicants may be represented by counsel. Have you been provided with a list of persons who may be available to assist you, at little or no cost, with your asylum claim? ☐ No ☒ Yes

Signature of Applicant *(The person in Part. A.I.)*

➡ [Denis E. Tapia Maltez]

Sign your name so it all appears within the brackets

09/10/2026

Date (mm/dd/yyyy)

Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

Signature of Preparer	Print Complete Name of Preparer
	Otavio Haverroth Silva

Daytime Telephone Number	Address of Preparer: Street Number and Name
(510) 2419336	PO Box 90487

Apt. Number	City	State	Zip Code
N/A	San Diego	CA	92169

To be completed by an attorney or accredited representative (if any).	☐ **Select this box if Form G-28 is attached.**	**Attorney State Bar Number** (if applicable)	**Attorney or Accredited Representative USCIS Online Account Number** (if any)
		343486	0 0 7 4 9 2 6 2 5 4 3 8

Part F. To Be Completed at Asylum Interview, if Applicable

NOTE: You will be asked to complete this part if you appear for examination before an asylum officer of the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered ____ to ____ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

Signature of Applicant

Date *(mm/dd/yyyy)*

Write Your Name in Your Native Alphabet

Signature of Asylum Officer

Part G. To Be Completed at Removal Hearing, if Applicable

NOTE: *You will be asked to complete this Part when you appear before an immigration judge of the U.S. Department of Justice, Executive Office for Immigration Review (EOIR), for a hearing.*

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered ____ to ____ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

Signature of Applicant

Date *(mm/dd/yyyy)*

Write Your Name in Your Native Alphabet

Signature of Immigration Judge

Application for Asylum and for Withholding of Removal Supplement A

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0069
Expires 09/30/2027

A-Number *(If available)*	Date
240744477	09/10/2026
Applicant's Name Denis Enrique TAPIA MALTEZ	Applicant's Signature Denis Enrique Tapia Maltez

List All of Your Children, Regardless of Age or Marital Status

(NOTE: Use this form and attach additional pages and documentation as needed, if you have more than four children)

1. Alien Registration Number (A-Number) *(if any)*	2. Passport/ID Card Number *(if any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. U.S. Social Security Number *(if any)*
N/A	N/A	N/A	N/A
5. Complete Last Name	**6.** First Name	**7.** Middle Name	**8.** Date of Birth *(mm/dd/yyyy)*
N/A	N/A	N/A	N/A
9. City and Country of Birth	**10.** Nationality *(Citizenship)*	**11.** Race, Ethnic, or Tribal Group	**12.** Sex
N/A	N/A	N/A	☐ Male ☐ Female
13. Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*:			
14. Place of last entry into the U.S.	**15.** Date of last entry into the U.S. *(mm/dd/yyyy)*	**16.** I-94 Number *(If any)*	**17.** Status when last admitted *(Visa type, if any)*
N/A	N/A	N/A	N/A
18. What is your child's current status?	**19.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)*	**20.** Is your child in Immigration Court proceedings?	
N/A	N/A	☐ Yes ☐ No	
21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes ☐ No			

1. Alien Registration Number (A-Number) *(if any)*	2. Passport/ID Card Number *(if any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. U.S. Social Security Number *(if any)*
N/A	N/A	N/A	N/A
5. Complete Last Name	**6.** First Name	**7.** Middle Name	**8.** Date of Birth *(mm/dd/yyyy)*
N/A	N/A	N/A	N/A
9. City and Country of Birth	**10.** Nationality *(Citizenship)*	**11.** Race, Ethnic, or Tribal Group	**12.** Sex
N/A	N/A	N/A	☐ Male ☐ Female
13. Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A			
14. Place of last entry into the U.S.	**15.** Date of last entry into the U.S. *(mm/dd/yyyy)*	**16.** I-94 Number *(If any)*	**17.** Status when last admitted *(Visa type, if any)*
N/A	N/A	N/A	N/A
18. What is your child's current status?	**19.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)*	**20.** Is your child in Immigration Court proceedings?	
N/A	N/A	☐ Yes ☐ No	
21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes ☐ No			

Application for Asylum and for Withholding of Removal Supplement B

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0069
Expires 09/30/2027

Additional Information About Your Claim to Asylum

A-Number *(if available)*	Date
240744477	09/10/2026
Applicant's Name	Applicant's Signature
Denis Enrique TAPIA MALTEZ	Denis E. Tapia Maltez

NOTE: *Use this as a continuation page for any additional information requested. Copy and complete as needed.*

Part B

Question 1.A.

In September 2020, vehicle accessories were stolen from my work car parked outside our home. I could not report it to the police due to fear of retaliation from local regime-backed criminals, resulting in administrative penalties at my job. I strongly believe the person did this because I was not part of their group. That was how CPC members and allies used to operate. In approximately October 2021, before the general elections, CPC members conducted a door-to-door electoral census", asking residents whether they would vote for the government. My wife (who was my girlfriend at the time) and I did not answer. That same afternoon, they returned, and told my wife directly: "We know you are registered as people who are not going to vote". That statement made clear that they were not guessing. Our names were on a list. They then threatened to shut down her business if we did not vote for the ruling party. This was not an isolated visit. CPC members monitored my daily movements. They knew my work schedule and the routes I regularly used to get to and from work. That is how they used to pressure and intimidate us. My wife was continuously threatened and harassed throughout the time we lived together in Nicaragua. All of the above occurred because of my political opinion and my persistent refusal to support or participate in the activities of the Ortega-Murillo government. The constant threats and surveillance of my work routes forced me to flee Nicaragua on May 30, 2022. Further details are included in my declaration.

Application for Asylum and for Withholding of Removal Supplement B

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0069
Expires 09/30/2027

Additional Information About Your Claim to Asylum

A-Number *(if available)*	Date
240-744-477	09/10/2026
Applicant's Name	Applicant's Signature
DENIS ENRIQUE TAPIA MALTEZ	Denis E. Tapia M.

NOTE: *Use this as a continuation page for any additional information requested. Copy and complete as needed.*

Part A.III.

Question 3

Name of school: Centro Escolar Enrique de Osso

Type of school: Elementary school

Location (address): 4Q3F+QHV, Camino La Mocliana, Managua, Nicaragua

From: 01/1988

To: 12/1994

Application for Asylum and for Withholding of Removal Supplement B

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0069
Expires 09/30/2027

Additional Information About Your Claim to Asylum

A-Number *(if available)*	Date
240-744-477	09/10/2026
Applicant's Name	Applicant's Signature
DENIS ENRIQUE TAPIA MALTEZ	Denis E. Tapia M.

NOTE: *Use this as a continuation page for any additional information requested. Copy and complete as needed.*

Part C

Question 2.B.

When someone shouted that immigration was coming, we fled in panic into the thick brush. My travel companion Stanley injured his foot during the escape, and we had to carry him through dangerous terrain to save his life before being crammed into vehicles at midnight and driven through steep mountain abysses. In Tijuana, our passports, money, and personal belongings were stolen from us. The men guiding us ultimately abandoned us in the Mexicali desert with only a small bottle of water. As we walked toward the border, an armed criminal gang intercepted, robbed, and threatened to kill us. I did not apply for asylum in Mexico due to the absolute lack of safety, widespread corruption, criminal violence, and fear that my presence could be exposed to Nicaraguan authorities. On June 14, 2022, I crossed the border at Mexicali/Calexico and voluntarily surrendered to U.S. immigration authorities. I was detained for fifteen days before being released into the U.S. interior. The violence and lawlessness I endured throughout transit reinforced that reaching the United States was my only viable path to safety. Further details are provided in my master declaration.

Application for Asylum and for Withholding of Removal Supplement B

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0069
Expires 09/30/2027

Additional Information About Your Claim to Asylum

A-Number *(if available)*	Date
240-744-477	09/10/2026
Applicant's Name	Applicant's Signature
DENIS ENRIQUE TAPIA MALTEZ	Denis E. Tapia M.

NOTE: *Use this as a continuation page for any additional information requested. Copy and complete as needed.*

Part A.III.

Question 5

Name: Ivania Tapia Fuentes
City/Town and Country of Birth: Masaya, Nicaragua
Current Location: deceased.

Name: Maribel Tapia Fuente
City/Town and Country of Birth: Masaya, Nicaragua
Current Location: Las Crucitas, Nicaragua

Name: Erick Tapia Perez
City/Town and Country of Birth: Masaya, Nicaragua
Current Location: Masatepe, Nicaragua

Name: Lester Tapia Perez
City/Town and Country of Birth: Masaya, Nicaragua
Current Location: Masatepe, Nicaragua

Denis Enrique Tapia Maltez **File No. A. 240-744-477**

Proof of Service

On this day, I, Otavio Haverroth Silva, served a copy of the following documents:

RESPONDENT'S AMENDED APPLICATION FOR ASYLUM AND WITHHOLDING OF REMOVAL

To the following:

Office Location:	**Mailing Address:**
Office of the Principal Legal Advisor Department of Homeland Security 100 Montgomery Street, Suite 200 San Francisco, CA 94104	US Immigration and Customs Enforcement US Department of Homeland Security Office of the Principal Legal Advisor P.O. Box 26449 San Francisco, CA 94126-644

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.



Otavio Silva (Bar N. 343486)
Attorney at Law
P.O. Box 90487
San Diego, CA 92169
Counsel for Respondent