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Non-Detained

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
800 Dolorosa Street, Suite 300
San Antonio, TX 78207

In the Matter of	)	
Jonathan Ulises Rafael	)	**File No. A. 221-397-911**
In Removal Proceedings	)	

Immigration Judge: Adams, Justin **Next Hearing Date:** October 30, 2026 at 9:00 AM.

RESPONDENT'S EVIDENCE OF SCHEDULED AFFIRMATIVE ASYLUM INTERVIEW

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800 Dolorosa Street, Suite 300
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RESPONDENT'S EVIDENCE OF SCHEDULED AFFIRMATIVE ASYLUM INTERVIEW

COMES NOW, the undersigned attorney, Otavio Haverroth Silva, respectfully, in the capacity of counsel for the above-identified Respondent, to submit this notice to update this Honorable Court regarding Respondent's affirmative asylum application before USCIS, in compliance with the directive issued during the prior hearings.

The Respondent's affirmative Application for Asylum (Form I-589) was submitted to the United States Citizenship and Immigration Services (USCIS) on **October 6, 2026**, pursuant to its initial jurisdiction over Unaccompanied Alien Children (UAC) under INA § 208(b)(3)(C). Although the official USCIS Form I-797C Receipt Notice has not yet been delivered to counsel, USCIS issued an Asylum Interview Notice on **October 27, 2026**, scheduling Respondent's affirmative asylum interview for **November 3, 2026, at 7:30 AM CT,** via videoconference.

The Interview Notice explicitly references receipt number LGL2790002772. Furthermore, on October 27, 2026, counsel submitted a formal request to USCIS seeking to reschedule the asylum interview due to procedural impossibility and tight evidentiary constraints. However, to date, no response or decision regarding the request has been received from USCIS.

In support of this update, Respondent respectfully submits the following documentation:

1. A copy of the USCIS Asylum Interview Notice dated October 27, 2026 (Ref. No. LGL2790002772), scheduling the interview for November 3, 2026. *See* Exhibit 1.

WHEREFORE, Respondent respectfully requests that this Honorable Court accept the attached evidence as full satisfaction of the Court's order and update the record accordingly.

Respectfully,

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

Exhibit list

Exhibits:	Pages:
Exhibit 1	
USCIS Asylum Interview Notice	1-3

Exhibit 1

US Department of Homeland Security
San Antonio Asylum Office
106 S St. Mary's Street
San Antonio, TX 78250

U.S. Citizenship and Immigration Services

JONATHAN ULISES RIVERA RAFAEL
C/O OTAVIO HAVERROTH SILVA
PO BOX 90487
SAN DIEGO, CA 92169

Please come to: COMPASS CONNECTIONS SNA SHELTER
7404 WEST US HIGHWAY 90, SAN ANTONIO TX 78227
On (date): 2026-11-03
At (time): 7:30 AM

Date: 2026-10-27

Re: LGL2790002772
RIVERA RAFAEL, JONATHAN ULISES A221397911

Interview Notice

You and your dependent family members (if any) on your Form I-589, Application for Asylum and for Withholding of Removal, are scheduled for an asylum interview on the date and time shown above. Please read this interview notice in its entirety, as it contains important information about your asylum interview.

WARNING: Unless USCIS excuses you, failure to appear at this asylum interview appointment will result in an applicant-caused delay that will impact your eligibility for employment authorization based on your pending asylum application. If you fail to appear at this appointment as scheduled, USCIS: (1) may dismiss your asylum application, if you maintain a lawful basis to remain in the United States; or (2) will refer your application to an immigration judge, if you do not maintain a lawful basis to remain in the United States.

Note: If you are a parolee who fails to appear for your asylum interview, USCIS will make a determination as to whether the purposes of parole have been served and determine, on a case-by-case basis, whether to terminate your parole and refer your case to an immigration judge.

I. Who should come with you to your interview?

Only the following people may come with you to your interview:

- ***Dependents:*** All family members included in your asylum application as dependents must come to your interview.
- ***Interpreter:*** If you are not fluent in English, you must bring an interpreter to your interview. Your interpreter must:
  - Be at least 18 years old;
  - Not be your attorney or accredited representative, or witness;

- Not be a representative or employee of your country of nationality, or, if stateless, your country of last habitual residence; and
- Not have a pending asylum application for which he or she has not been interviewed.

If you need an interpreter and do not bring one, or if your interpreter is not competent, we will consider this a failure to appear for your interview without good cause and we will dismiss your asylum application or refer your asylum application to an immigration judge.

- ***Attorney or Accredited Representative:*** Your attorney or accredited representative may come with you to the interview.
- ***Witnesses:*** If you have a witness who will provide testimony in your case, that individual may come with you to your interview. However, we encourage your witness to provide sworn written testimony before your interview and not attend the interview. You may provide this written testimony to USCIS as additional evidence following the guidelines described in **Section III** below.
- ***Minors:*** If you are a minor applying for asylum by yourself, a trusted adult may come with you.

II. What to Bring to Your Interview:

- If available, bring a written form of identification for you and each of your family members (if any) listed as dependents on your Form I-589 indicating name, date of birth, place of birth, and nationality.
- If available, bring the original and one copy of documentary evidence of your relationship to your family members (if any) listed as dependents on your Form I-589 (such as marriage certificates, birth certificates, or affidavits).

III. Additional Evidence:

If you wish to submit additional evidence not previously submitted with your asylum application, you must submit it to the asylum office in writing as soon as possible or at least 14 calendar days before the interview. You can mail the additional evidence to the asylum office or upload it via your myUSCIS account if you filed your application online. If you submit new evidence less than 14 calendar days before your interview or bring new evidence on the day of your interview, it may not be included with your asylum application, or we may reschedule your interview. A rescheduled asylum interview due to late evidence submission will be considered an *applicant-caused delay* for purposes of eligibility for employment authorization. This reschedule may impact your eligibility for employment authorization. For information related to employment authorization based on a pending asylum application, please review the **Permission to Work in the United States** section of the USCIS website at www.uscis.gov/asylum.

You must leave the United States if you do not have or otherwise obtain a lawful basis to remain in the United States. The U.S. Government may provide you cost-free travel and give you an exit bonus if you leave voluntarily through the CBP Home Mobile App process. For more information, please visit: https://www.dhs.gov/cbphome.

If you do not maintain a lawful basis to remain in the United States, you may be subject to enforcement actions, including but not limited to detention and removal, without an opportunity to make personal arrangements and return to your country in an orderly manner.

CC: HS LAW CORP
OTAVIO HAVERROTH SILVA

PO BOX 90487
SAN DIEGO, CA 92169

Jonathan Ulises Rafael **File No. A. 221-397-911**

PROOF OF SERVICE

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

RESPONDENT'S EVIDENCE OF SCHEDULED AFFIRMATIVE ASYLUM INTERVIEW

To the following:

Office Location:	**Mailing Address:**
Office of the Principal Legal Advisor U.S. Immigration and Customs Enforcement Department of Homeland Security 1015 Jackson-Keller Road, Suite 100 San Antonio, TX 78213	US Immigration and Customs Enforcement US Department of Homeland Security Office of the Principal Legal Advisor 1015 Jackson-Keller Road, Suite 100 San Antonio, TX 78213

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