



U.S. Department of Justice
Immigration and Naturalization Service
Asylum Office
P.O. Box 77530
San Francisco, CA 94107

Mr. Germar Scheerer
28755 Sagewood Circle
Toney, Al. 35773

Date: 01 FEB 2001

File #: A78660016

Referral Notice

Dear Mr. Scheerer:

This letter refers to your Request for Asylum in the United States (Form I-589). Applicants for asylum must credibly establish that they have suffered past persecution or have a well-founded fear of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, and that they merit a grant of asylum in the exercise of discretion.

For the reasons indicated below, we have not granted your claim for asylum:

You have not established that you are a refugee because:

A. Past Persecution

You have not established that any harm you experienced in the past, considering incidents both individually and cumulatively, amounts to persecution.

AND

B. Future Persecution

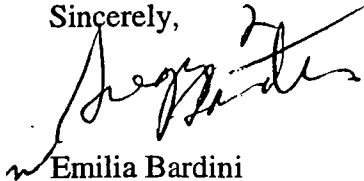
You have not established that there is a reasonable possibility that you would suffer persecution in the future.

However, it has been determined that you have been found to have a credible fear of persecution in that there is a significant possibility that the harm you suffered in the past and the harm you fear in the future may be found to be persecution on account of one of the five grounds set forth in the statute.

Based on the above reasons, your case has been referred to an immigration judge. **This is not a denial of your asylum application.** You may request asylum again before an immigration judge and your request will be considered (without additional refiling) when you appear before an immigration judge at the date and time listed on the attached charging document. The determinations that we have made in referring your application are not binding on the immigration judge, who will evaluate your claim anew.

If your asylum application was filed on or after January 4, 1995, the following information applies to you. This referral has no effect on when you may apply for employment authorization (unless you failed without good cause to appear for your asylum interview or provide a competent interpreter). If an immigration judge does not deny your asylum application within 150 days of the date your asylum application was first accepted by the INS (not including any delays in processing you may have sought or caused), then you will be eligible to submit a Form I-765 request for employment authorization with the INS. The earliest possible date you are eligible to apply for employment authorization is March 18, 2001. If an immigration judge grants your asylum application, then you are automatically eligible for employment authorization and may apply immediately. If you fail without good cause to appear for the scheduled hearing before the immigration judge, you may not be granted employment authorization.

Sincerely,



Emilia Bardini
Director
San Francisco Asylum Office

cc: Andrew Allen, Esq.

(Rev. Ed. 12/3/97)