

COUPLE FORCED TO PROVE THEIR LOVE IN COURTROOM

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Highlight: Immigration agents called marriage a fraud.

Body

For two years, the Boyettes' lives seemed frozen.

They had saved to buy a house, but couldn't.

They wanted to plan to have a baby, but didn't dare.

After Nelly Boyette's father died in Peru, she couldn't leave the country to visit her family.

When the St. Petersburg Times last caught up with the Boyettes, they were living in the shadow of suspicion. Immigration officials called their relationship a sham as part of a nationwide crackdown on marriage fraud.

If the Tampa **couple** couldn't convince a judge otherwise, Nelly would be deported to Peru, and all they worked for would be lost.

This September in an Orlando **courtroom**, their marriage went on trial. They told the judge about their seven-year union, their jobs at area flea markets. They submitted joint bills. Friends and relatives sent letters. A nun who knew them from the flea market cried on the stand.

When it was over, immigration Judge Kevin Chapman ruled in their favor. He gave the government a month to appeal. It did not. In October, the Boyettes got a call from their attorney: The case was closed.

"I was so happy," Nelly, 33, said. "We can live in peace."

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The ordeal began one August morning two years ago when Nelly and Jeff drove to the offices of the U.S. Citizenship and Immigration Services in Tampa. They were there for an interview, the last step before Nelly could obtain her permanent residency, or green card.

Jeff was a native Floridian with a boom box plastered with stickers telling foreigners to speak English. Nelly was from Peru with a mind for business. They met when Jeff bought a banana from Nelly at the flea market. She liked that he let her make business decisions. Jeff, hard working and reserved, was happy to let Nelly do the talking.

At the immigration offices that day, the **couple** did not know about a nationwide crackdown on fraud marriages. Immigration officials say immigrants pay Americans \$10,000 to \$35,000 to marry them until green cards come through.

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Agents separated and grilled them with questions. Jeff bungled his answers about the **couple**'s address and phone number. They were living with Nelly's sister and he never called the house, he explained.

The agent told Jeff to come clean, he remembers. Jeff grew combative. The agent denied Nelly's application.

John Ovink, their attorney, said he always believed in the Boyettes.

With the case closed, in late October the **couple** bought a house in Tampa for \$65,000. They plan to fix it up and hope to have a baby next year.

Nelly applied for citizenship, and Ovink predicts she'll take her exam by January and be sworn in as a citizen by February.

Jeff feels relieved, but bitter from the experience. "They caused us a lot of pain and heartache," he said. "I don't have no love lost for immigration."

It also inspired more sympathy for immigrants going through the process.

"The radio I had with the stickers on it?" he said. "I gave it away."

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Graphic

PHOTO, MARTHA RIAL, Times: Jeff and Nelly Boyette are fixing up a house in Tampa. They married seven years ago, but came under suspicion when Nelly applied for a permanent residency card two years ago. A nationwide crackdown on fraud marriages left their lives in limbo.

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