

DEPORTED FAMILY GETS A NEW START

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Body

A Mexican couple whose son has a congenital heart defect was deported from the United States today but returned to the country legally 15 minutes later.

"We'll make a fresh new start and see how it feels," said Guadalupe Tena, who, with her husband, Raul, a 6-year-old daughter, Daniela, and a son, Victor, 4, walked the 200-yard round trip between the Columbus port of entry and Las Palomas, Mexico.

Victor, the only member of the family who is a United States citizen, suffers from a congenital heart defect. Guadalupe and Raul Tena, Mexican couple whose son Victor has congenital heart defect, are deported from US but return to country legally 15 minutes later; immigration judge rules that Tenas must be deported to Mexico, but says they could return to US from Mexico for six months so Victor could receive treatment (S)

An immigration judge in El Paso, Tex., ruled Tuesday that Mr. and Mrs. Tena and Daniela must be deported to their native Mexico. But he said they could return to the United States from Mexico for six months so Victor could receive treatment.

Refuse to Return Without Son

The Tenas had said they would not return to Mexico without Victor and the family's doctor had told immigration officials the child could not receive adequate medical care in northern Mexico.

"He was born four years ago and came to us when he was two days old with a severe form of congenital heart disease," said Dr. Steven Yabek, a pediatric cardiologist with the University of New Mexico School of Medicine in Albuquerque. "He has undergone two operative procedures and he will ultimately require further surgery."

The six-month parole can be extended depending on Victor's condition.

"We parole people on humanitarian grounds all the time," said Dan McDonald, assistant director of the Immigration and Naturalization Service in El Paso. "It's not an uncommon thing at all."

The Tenas entered the country illegally six years ago. Had the family lived in the United States for seven uninterrupted years, they would have been eligible to apply for permanent legal residency. The brief deportation today wipes out the previous years of residency under Federal law.

"If we lost it, I feel it was worth it for Victor to get the good medical attention he needs," Mrs. Tena said.

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