

## 2010 Deportation Hearing Is Set for Obama's Aunt

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### **Body**

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Six years after President Obama's Kenyan aunt was first ordered to leave the United States, a U.S. immigration judge yesterday gave her another 10 months to prepare an argument against deportation.

"Praise God," said Zeituni Onyango as she stepped out of a closed hearing yesterday morning using a cane and wearing a rust-colored wig. She was responding to a decision by Judge Leonard Shapiro, who twice previously ordered her to be sent back to Kenya, to schedule a full hearing on her asylum request for Feb. 4, 2010.

The case of Onyango, who guided Obama around Kenya on a visit 20 years ago, has inflamed activists against illegal immigration and has put her nephew in a difficult position despite his insistence that he will play no role in her case.

Critics say Onyango, 56, has received special treatment because she wasn't deported earlier, twice was granted a reopening of her case and now has another 10 months to stay in the country until her next hearing.

Citing Obama's statements that relevant laws should be applied to Onyango, William Gheen, who heads Americans for Legal Immigration, said, "If the rule of law were applied in this case, Zeituni Onyango should have been deported a long time ago."

Rush Limbaugh criticized Obama's response on the radio recently, saying: "The president said he's going to let the law play out. It is heartless . . . he could buy her an apartment; he could buy her a green card; he's the president." But he added, "If he does that, then he steps on U.S. law."

Onyango is one of more than 13,000 immigrants a year who seek to have their cases reopened, which can occur repeatedly, according to federal immigration officials. The extensive backlog in Boston's immigration court makes her 10-month delay routine, if not shorter than many others, according to immigration lawyers.

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"Ms. Onyango's case is being treated like any other case," said Fatimah A. Mateen, a spokeswoman for the federal Executive Office for Immigration Review.

The fact that Onyango's nephew is president of the United States could not only provide fresh grounds for her bid to not return to Kenya, where political violence has spiked in the past year, but it could enhance her chances of winning asylum, immigration lawyers said.

"How could she possibly hope to go back to Kenya and keep a low profile?" asked Boston lawyer Ilana Greenstein. "Aside from the changes in the political tensions in Kenya, I can't imagine any circumstance under which she wouldn't be in more danger now."

But Gheen said Zeituni should be prosecuted for accepting public housing and should not be granted asylum. "She would be a celebrity in her home nation, not a refugee," he said.

Onyango, the half-sister of **Obama's** late father, first sought political asylum in 2002 "due to violence in Kenya," according to Mike Rogers, a spokesman for her lawyers. Rogers declined to reveal the new grounds for asylum.

In March 2003, Onyango was first ordered into immigration court, the court spokeswoman said. The following month, Shapiro turned down her first asylum bid and ordered her deported. After a series of unsuccessful appeals, Onyango again was ordered to leave the country on Oct. 16, 2004.

But Onyango, who suffers from a neurological condition, quietly remained in the country, living in state-subsidized public housing in South Boston, where she moved before she got into immigration trouble. In October, just weeks before the presidential election, her presence garnered international media attention.

Washington immigration lawyer Abed A. Ayoub, of the American-Arab Anti-Discrimination Committee, called the delays in Onyango's case routine. Many cases take five years to resolve, he said.

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