

U.S. Department of Justice
Executive Office for Immigration Review

I-589, Application for Asylum and for Withholding of Removal

Applicant: Kyaw Soe Lwin

Submission Date: 2024-03-29T05:17:49UTC

Do you also want to apply for withholding of removal under the Convention Against Torture?: Yes
Part A.I. Information About You
1. Alien Registration Number(s) (A-Number) (if any): 2. U.S. Social Security Number (if any): 3. USCIS Online Account Number (if any):
4. Complete Last Name: Lwin 5. First Name: Kyaw Soe 6. Middle Name:
7. What other names have you used (include maiden name and aliases)?
8. Residence in the U.S. (where you physically reside) Street Number and Name: 5509 N 35TH ST Apt. Number: City: TACOMA State: WA ZIP Code: 98407-2589 Telephone Number: 253-683-0262
9. Mailing Address in the U.S. (if different than the address in Item Number 8) In Care of (if applicable): Ye Yint Myint Mo Telephone Number: 646-698-2775 Street Number and Name: 6034 BOOTH ST Apt. Number: City: ELMHURST State: NY ZIP Code: 11373-5526
10. Gender (Male, Female): Male 11. Marital Status (Single, Married, Divorced, Widowed): single 12. Date of Birth (mm/dd/yyyy): 06/26/1989 13. City and Country of Birth: City: Yangon Country: MMR 14. Present Nationality (Citizenship): MMR 15. Nationality at Birth: MMR 16. Race, Ethnic, or Tribal Group: Burmese 17. Religion: Buddhism
18.a. I have never been in Immigration Court proceedings.: Yes 18.b. I am now in Immigration Court proceedings: 18.c. I am not now in Immigration Court proceedings, but I have been in the past:

19.a. When did you last leave your country? (mm/dd/yyyy): 11/10/2019

Last Left Your Country Other:

19.b. What is your current I-94 Number, if any?: 023912873A3

19.c. List each entry into the U.S. beginning with your most recent entry. List date (mm/dd/yyyy), place, and your status for each entry. (Attach additional sheets as needed.)

Most Recent Entry Record:

Date of Entry: 08/28/2022

Place of Entry: TAC

Other Place of Entry:

Status: C1

Date Status Expires: 09/24/2022

Previous Entry Record(s):

20. What country issued your last passport or travel document?: MMR

21. Passport/Travel Document Number: ME528385

22. Expiration Date (mm/dd/yyyy): 08/29/2024

23. What is your native language (include dialect, if applicable)?: BUR

24. Are you fluent in English?: Yes

25. What other languages do you speak fluently?

Part A.II. Information About Your Spouse and Children

Your spouse

1. Alien Registration Number (A-Number) (if any):

2. Passport/ID Card Number (if any):

3. Date of Birth (mm/dd/yyyy):

4. U.S. Social Security Number (if any):

5. Complete Last Name:

6. First Name:

7. Middle Name:

8. Other names used (include maiden name and aliases)

9. Date of Marriage (mm/dd/yyyy):

10. Place of Marriage:

11. City and Country of Birth:

City:

Country:

12. Nationality (Citizenship):

13. Race, Ethnic, or Tribal Group:

14. Gender (Male,Female):

15. Is this person in the U.S.? "Yes " (Complete Blocks 16 to 24). "No" (Specify location) :

Spouse Location:

16. Place of last entry into the U.S.:

Other Place of Last Entry:

17. Date of last entry into the U.S. (mm/dd/yyyy):

18. I-94 Number (if any):

19. Status when last admitted (Visa type, if any):

20. What is your spouse's current status?:

21. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy):

22. Is your spouse in Immigration Court proceedings?:
23. If previously in the U.S., date of previous arrival (mm/dd/yyyy):
24. If in the U.S., is your spouse to be included in this application?:

Your Children. List all of your children, regardless of age, location, or marital status.

I have children: Yes

Total number of children: 1

1. Alien Registration Number (A-Number) (if any):
2. Passport/ID Card Number (if any):
3. Marital Status (Single, Married, Divorced, Widowed): single
4. U.S. Social Security Number (if any):
5. Complete Last Name: Thoon
6. First Name: Chuu Kyal Sin
7. Middle Name:
8. Date of Birth (mm/dd/yyyy): 01/07/2021
9. City and Country of Birth:
City: Yangon
Country: MMR
10. Nationality (Citizenship): MMR
11. Race, Ethnic, or Tribal Group: Burmese
12. Gender (Male, Female): Female
13. Is this child in the U.S.?: No
Child Location: Yangon, Burma
14. Place of last entry into the U.S.:
Other Place of Last Entry:
15. Date of last entry into the U.S. (mm/dd/yyyy):
16. I-94 Number (If any):
17. Status when last admitted (Visa type, if any):
18. What is your child's current status?:
19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy):
20. Is your child in Immigration Court proceedings?:
21. If in the U.S., is this child to be included in this application?:

Part A.III. Information About Your Background

1. List your last address where you lived before coming to the United States. If this is not the country where you fear persecution, also list the last address in the country where you fear persecution. (List Address, City/Town, Department, Province, or State and Country.)

Number and Street, Line 1 (Provide if Available): 393 Nweni 4th Street Block D
Number and Street, Line 2 (Provide if Available): North Okkalapa Township
City/Town: Yangon
Department, Province, or State: Yangon
State:
Zip Code:
Postal Code: 11031
Country: MMR
Dates: From (Month): 06
Dates: From (Year): 1989

Dates: To (Month): 08

Dates: To (Year): 2022

2. Provide the following information about your residences during the past 5 years. List your present address first.

Number and Street, Line 1: 5509 N 35th St

Number and Street, Line 2:

City/Town: Tacoma

Department or Province:

State: WA

Postal Code:

ZIP Code: 98407-2589

Country: USA

Dates:From(Month): 08

Dates:From(Year): 2022

Dates:To(Month):

Dates:To(Year):

Number and Street, Line 1: 393 Nweni 4th Street Block D

Number and Street, Line 2: North Okkalapa Township

City/Town: Yangon

Department or Province: Yangon

State:

Postal Code: 11031

ZIP Code:

Country: MMR

Dates:From(Month): 06

Dates:From(Year): 1989

Dates:To(Month): 08

Dates:To(Year): 2022

3. Provide the following information about your education, beginning with the most recent school that you attended.

Name of School: Dagon University

Type of School: University

Location (Address):

Street Name and Number: Taw Win Road North Dagon Township

Apt. No.:

City: Yangon

State:

ZIP Code:

Province: Yangon

Postal Code: 11421

Country: MMR

Dates:From(Month): 06

Dates:From(Year): 2006

Dates:To(Month): 03

Dates:To(Year): 2009

Name of School: BEHS 1 North Okkalapa

Type of School: High School

Location (Address):**Street Name and Number:** Thone Na Ka Road North Dagon Township**Apt. No.:****City:** Yangon**State:****ZIP Code:****Province:** Yangon**Postal Code:** 11031**Country:** MMR**Dates:From(Month):** 06**Dates:From(Year):** 1998**Dates:To(Month):** 03**Dates:To(Year):** 2005**Name of School:** BEPS 6 North Okkalapa**Type of School:** Primary School**Location (Address):****Street Name and Number:** Bo Myint Aung Street**Apt. No.:** North Okkalapa Township**City:** Yangon**State:****ZIP Code:****Province:** Yangon**Postal Code:** 11031**Country:** MMR**Dates:From(Month):** 06**Dates:From(Year):** 1994**Dates:To(Month):** 03**Dates:To(Year):** 1998**4. Provide the following information about your employment during the past 5 years. List your present employment first.****Name and Address of Employer:** Carnival Cruise**Street Name and Number:** On Board Luxury Liner Miami**Apt. No.:****City:** Miami**State:** FL**ZIP Code:** 33101**Province:****Postal Code:****Country:** USA**Your Occupation:** Commis Chef**Dates:From(Month):** 02**Dates:From(Year):** 2018**Dates:To(Month):** 04**Dates:To(Year):** 2020**5. Provide the following information about your parents and siblings (brothers and sisters). Check the box if the person is deceased.****Relationship (Mother, Father, Sibling):** Father

First Name: Soe Last Name: Thein Middle Name: City/Town of Birth: Yangon Country of Birth: MMR Current Location: Yangon, Burma Deceased:
Relationship (Mother, Father, Sibling): Mother First Name: Tin Tin Last Name: Cho Middle Name: City/Town of Birth: Yangon Country of Birth: MMR Current Location: Yangon, Burma Deceased:
Part B. Information About Your Application
<p>When answering the following questions about your asylum or other protection claim (withholding of removal under 241(b)(3) of the INA or withholding of removal under the Convention Against Torture), you must provide a detailed and specific account of the basis of your claim to asylum or other protection. To the best of your ability, provide specific dates, places, and descriptions about each event or action described. You must attach documents evidencing the general conditions in the country from which you are seeking asylum or other protection and the specific facts on which you are relying to support your claim. If this documentation is unavailable or you are not providing this documentation with your application, explain why in your responses to the following questions.</p> <p>:</p>
1. Why are you applying for asylum or withholding of removal under section 241(b)(3) of the INA, or for withholding of removal under the Convention Against Torture? I am seeking asylum or withholding of removal based on:
Race: Yes Religion: Yes Nationality: Yes Political Opinion: Yes Membership in a particular social group: Yes Torture Convention: Yes
A. Have you, your family, or close friends or colleagues ever experienced harm or mistreatment or threats in the past by anyone?: Yes <p>If "Yes," explain in detail: 1. What happened; 2. When the harm or mistreatment or threats occurred; 3. Who caused the harm or mistreatment or threats; and 4. Why you believe the harm or mistreatment or threats occurred.: I, Kyaw Soe Lwin, have been arrested, detained and tortured on February 19, 2021 by the police department under the control of Burmese military regime for my participation in the February protest against the coup. My parents have also faced recurring harassment and oppression by the military controlled government for our political opinion, involvement and affiliations.</p>
B. Do you fear harm or mistreatment if you return to your home country?: Yes <p>If "Yes," explain in detail: 1. What harm or mistreatment you fear; 2. Who you believe would harm or mistreat you; and 3. Why you believe you would or could be harmed or mistreated.: I fear being arrested, detained, tortured and killed by the police department and the military for my violations of travel restriction placed by the military after my arrest, my involvement in protests against the dictatorship regime during the February 2021 protests and continued protests in US. Burmese events under Section 505-A. I am certain that I will be arrested and detained once I land in the airport, as the military has been rounding up and torturing my friends that participated in these protests with me.</p>
2. Have you or your family members ever been accused, charged, arrested, detained, interrogated, convicted and sentenced, or imprisoned in any country other than the United States (including for an immigration law violation)?: No

<p>If "Yes," explain the circumstances and reasons for the action:</p>
<p>3.A. Have you or your family members ever belonged to or been associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organization, military or paramilitary group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press or media?: No</p> <p>If "Yes," describe for each person the level of participation, any leadership or other positions held, and the length of time you or your family members were involved in each organization or activity.:</p>
<p>3.B. Do you or your family members continue to participate in any way in these organizations or groups?:</p> <p>If "Yes," describe for each person your or your family members' current level of participation, any leadership or other positions currently held, and the length of time you or your family members have been involved in each organization or group.:</p>
<p>4. Are you afraid of being subjected to torture in your home country or any other country to which you may be returned?: Yes</p> <p>If "Yes," explain why you are afraid and describe the nature of torture you fear, by whom, and why it would be inflicted.: I fear being subjected to torture in Burma from the police for breaking travel restrictions set by the military after I was arrested. I also took part in protests against the dictatorship regime during the February 2021 events and have been involved in ongoing protests in US. Burmese events, all of which would let them arrest and torture me under Section 505-A.</p>
<p>Part C. Additional Information About Your Application</p>
<p>1. Have you, your spouse, your child(ren), your parents or your siblings ever applied to the U.S. Government for refugee status, asylum, or withholding of removal?: No</p> <p>If "Yes," explain the decision and what happened to any status you, your spouse, your child(ren), your parents, or your siblings received as a result of that decision. Indicate whether or not you were included in a parent or spouse's application. If so, include your parent or spouse's A-number in your response. If you were previously denied asylum by USCIS, an immigration judge, or the Board of Immigration Appeals, describe any change(s) in conditions in your country or your own personal circumstances since the date of the denial that may affect your eligibility for asylum.:</p>
<p>2.A. After leaving the country from which you are claiming asylum, did you or your spouse or child(ren) who are now in the United States travel through or reside in any other country before entering the United States?: No</p> <p>If "Yes," , provide for each person the following: the name of each country and the length of stay, the person's status while there, the reasons for leaving, whether or not the person is entitled to return for lawful residence purposes, and whether the person applied for refugee status or for asylum while there, and if not, why he or she did not do so:</p>
<p>2.B. Have you, your spouse, your child(ren), or other family members, such as your parents or siblings, ever applied for or received any lawful status in any country other than the one from which you are now claiming asylum?: No</p> <p>If "Yes," , provide for each person the following: the name of each country and the length of stay, the person's status while there, the reasons for leaving, whether or not the person is entitled to return for lawful residence purposes, and whether the person applied for refugee status or for asylum while there, and if not, why he or she did not do so:</p>
<p>3. Have you, your spouse or your child(ren) ever ordered, incited, assisted or otherwise participated in causing harm or suffering to any person because of his or her race, religion, nationality, membership in a particular social group or belief in a particular political opinion?: No</p> <p>If "Yes," describe in detail each such incident and your own, your spouse's, or your child(ren)'s involvement.:</p>
<p>4. After you left the country where you were harmed or fear harm, did you return to that country?: No</p> <p>If "Yes," describe in detail the circumstances of your visit(s) (for example, the date(s) of the trip(s), the purpose(s) of the trip(s), and the length of time you remained in that country for the visit(s).):</p>
<p>5. Are you filing this application more than 1 year after your last arrival in the United States?: Yes</p> <p>If "Yes," explain why you did not file within the first year after you arrived. You must be prepared to explain at your interview or hearing why you did not file your asylum application within the first year after you arrived. For guidance in answering this question, see Instructions, Part 1: Filing Instructions, Section V. "Completing the Form," Part C.: I am now having to submit after</p>

the one year deadline because my original Form I-589 application which I submitted before the deadline was not accepted by the USCIS due to a technical error where someone else with the same First Name, Last Name and Birthday has already been admitted and I was assigned his Alien Number. I am filing this application within a reasonable period of time given the circumstance.

6. Have you or any member of your family included in the application ever committed any crime and/or been arrested, charged, convicted, or sentenced for any crimes in the United States (including for an immigration law violation)?: No

If "Yes," for each instance, specify in your response: what occurred and the circumstances, dates, length of sentence received, location, the duration of the detention or imprisonment, reason(s) for the detention or conviction, any formal charges that were lodged against you or your relatives included in your application, and the reason(s) for release. If you have been arrested in the United States, you must submit a certified copy of all arrest reports, court dispositions, sentencing documents, and any other relevant documents.:

Part D. Your Signature

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. Title 18, United States Code, Section 1546(a), provides in part: Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement or which fails to contain any reasonable basis in law or fact - shall be fined in accordance with this title or imprisoned for up to 25 years. I authorize the release of any information from my immigration record that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.

WARNING: Applicants who are in the United States unlawfully are subject to removal if their asylum or withholding claims are not granted by an asylum officer or an immigration judge. Any information provided in completing this application may be used as a basis for the institution of, or as evidence in, removal proceedings even if the application is later withdrawn. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act. You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application. If filing with USCIS, unexcused failure to appear for an appointment to provide biometrics (such as fingerprints) and your biographical information within the time allowed may result in an asylum officer dismissing your asylum application or referring it to an immigration judge. Failure without good cause to provide DHS with biometrics or other biographical information while in removal proceedings may result in your application being found abandoned by the immigration judge. See sections 208(d)(5) (A) and 208(d)(6) of the INA and 8 CFR sections 208.10, 1208.10, 208.20, 1003.47(d) and 1208.20.

Print your complete name: Kyaw Soe Lwin

Write your name in your native alphabet:

Did your spouse, parent, or child(ren) assist you in completing this application?: No

If "Yes," list the name and relationship.

Did someone other than your spouse, parent, or child(ren) prepare this application? (If "Yes," complete Part E.): Yes

Asylum applicants may be represented by counsel. Have you been provided with a list of persons who may be available to assist you, at little or no cost, with your asylum claim?: No

Signature Email Address: kyawsoelwin.usird.client@gmail.com

Signature Date: 03/29/2024

Electronic Filing Record

Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

Signature Of Preparer:

Date:

Complete Name of Preparer:

First Name: Ye Yint Myint Last Name: Mo Daytime Telephone Number: 646-698-2775
Address of Preparer Street Number and Name: 6034 Booth St Apt. Number: City: Elmhurst State: NY ZIP Code: 11373 Province: Postal Code: Country:
Attorney State Bar Number (if applicable): Attorney or Accredited Representative USCIS Online Account Number (if any):
Evidence
Original File Name: Cover Letter - Kyaw Soe Lwin.pdf Category: Cover Letter
Original File Name: Statement - Kyaw Soe Lwin.pdf Category: Written Statements
Original File Name: 1962 Military Coup News Article.pdf Category: News Article
Original File Name: 1988 Military Coup News Article.pdf Category: News Article
Original File Name: 2021 Military Coup News Article.pdf Category: News Article
Original File Name: 2021 Protest Civil Movement.pdf Category: News Article
Original File Name: BURMA Act 2021 Congress Paper.pdf Category: News Article
Original File Name: February 28 2021 Protest News Article.pdf Category: News Article
Original File Name: UN HUMAN RIGHT COMM REPORT.pdf Category: News Article
Original File Name: NRC Notary - Kyaw Soe Lwin.pdf Category: Foreign Identification Documents
Original File Name: NRC Original - Kyaw Soe Lwin.pdf Category: Foreign Identification Documents
Original File Name: Passport - Kyaw Soe Lwin.pdf Category: Passport
Original File Name: Visa - Kyaw Soe Lwin.pdf Category: Visa
Original File Name: I94 - Kyaw Soe Lwin.pdf Category: I-94

Original File Name: Birth Certificate Notary - Kyaw Soe Lwin.jpg Category: Birth Records
Original File Name: Family Member List - Kyaw Soe Lwin.pdf Category: Other Identification
Original File Name: Family Member List Notary - Kyaw Soe Lwin.pdf Category: Other Identification
Original File Name: 1962 Military Coup News Article.pdf Category: News Article
Original File Name: 1988 Military Coup News Article.pdf Category: News Article
Original File Name: 2021 Civil Disobedience Movement.pdf Category: News Article
Original File Name: 2021 Military Coup News Article.pdf Category: News Article
Original File Name: 2021 Protest Civil Movement.pdf Category: News Article
Original File Name: BURMA Act 2021 Congress Paper.pdf Category: News Article
Original File Name: Section 505 A News Article.pdf Category: News Article
Original File Name: UN HUMAN RIGHT COMM REPORT.pdf Category: News Article
Original File Name: Preparer Signed Document.pdf Category: Preparer Signature
Supplement B, Form I-589
Additional Information About Your Claim to Asylum