

Question B

Sarah was admitted to the United States in F-1 student status. Two years after she was admitted into the United States as a student, while she was validly maintaining her F-1 student status, she met a fellow student, David, who is a United States citizen. Only three months after they met, Sarah married David. David and Sarah immediately filed the paperwork necessary to obtain legal permanent resident status for Sarah. On September 1, 2002, Sarah received conditional permanent resident status. Six months after Sarah received her conditional permanent resident status, she was caught and arrested for shoplifting at a local mall. The arresting officer found 40 grams of marijuana in Sarah's purse. Sarah eventually pled guilty under state law to possession of a controlled substance and shoplifting. ~~The maximum possible sentence for the marijuana possession was one year in prison, but the judge instead imposed on Sarah a sentence of three months of probation and a fine. The maximum penalty for the shoplifting offense was 3 months imprisonment, but the judge imposed a fine only, despite that Sarah had pled guilty to shoplifting once before, before she met David. After David learned of her arrest, he became extremely angry with Sarah. Realizing that he did not know Sarah well enough before he married her, David has refused to have any contact with her since her arrest. It is now December 6, 2004.~~

You are a trial attorney for the immigration service and your supervisor has asked you to draft a memo listing the deportability charges that could possibly lead to Sarah's removal. Your supervisor asks you to explain why each charge could lead to removal and to evaluate the strength of each possible charge. If you need additional information, make sure you indicate what information you need and why it is important.

**Exam continues on the next page.**