

September 30, 2008

NATIONAL BRIEFING | WASHINGTON

Woman's Asylum Case Sent Back to Review Board

By [JULIA PRESTON](#)

Breaking a legal logjam of nearly eight years, Attorney General [Michael B. Mukasey](#) canceled a stay in the case of a Guatemalan woman who sought asylum in the United States after she was severely battered by her husband in [Guatemala](#). Mr. Mukasey sent back the case of the woman, Rodi Alvarado Peña, to the Board of [Immigration Appeals](#), encouraging it to set nationwide standards for determining when women who are victims of domestic violence in their home countries can win asylum. The case, held up since January 2001, caused many other asylum claims of battering victims to stall. A lawyer for Mrs. Alvarado, Karen Musalo, said Mr. Mukasey's decision raised concerns because the appeals board denied asylum to Mrs. Alvarado in 1999.

Copyright 2008 The New York Times Company

[Privacy Policy](#) | [Search](#) | [Corrections](#) | [RSS](#) | [First Look](#) | [Help](#) | [Contact Us](#) | [Work for Us](#) | [Site Map](#)