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Carrboro case rends family; supporters rally

By Kirk Ross

In a town as close-knit as Carrboro, it was not hard to notice Sima Fallahi. For five years, she and her daughter Leila were regulars at town celebrations. Fallahi's watercolors—like the landscapes that last year were on display at Town Hall—were becoming well-known.

But Fallahi held a secret. She was defying a deportation order and wanted by federal immigration officials. Now she sits in a Mecklenburg County jail, awaiting a hearing in Atlanta that could send her back to her native Iran.

Temporary custody of her daughter has been awarded to a Carrboro couple she's close to, and a group of her friends and neighbors are anxiously trying to put together a fund to support efforts to surmount large legal hurdles.

"Hopefully, she can get out of this," says Bob Wright, who with his fiancée Kathleen Barton is caring for Leila. "It's going to be an expensive proposition."

Wright and Barton took Leila, who turned 11 last week, to Charlotte on Sunday to give mother and daughter a little time together, though the rules required a wall of glass between them.

Wright says that Fallahi is trying to participate in some programs at the jail. There's a painting class, he says, and a group program to help people understand how they got there.

Though her case is often described as complicated, it follows a common scenario. She came to the United States on a student visa after the Iranian revolution and remained here. In 1998, she applied for political asylum on the grounds that her beliefs put her at risk in an increasingly secular and fundamentalist country.



Sima Fallahi and daughter Leila, 11, often participated in town events, such as Carrboro Day on May 7. Photo Courtesy of Uniqueorn.com

But the petition for asylum was denied after she failed to show up for a hearing. Wright says Fallahi recently told him she never heard from her lawyer about the hearing, which resulted in a deportation order.

Last year, that lawyer, Manlin Chee, closed her practice and started serving a year and a day sentence after pleading guilty to charges of trying to defraud the U.S. government in an unrelated case. A key part of Fallahi's defense is likely to be that Chee, whose office at one time had more than 4,000 open immigration cases, did not provide Fallahi with adequate representation. (See www.indyweek.com/gyrobase/Content?oid=oid%3A24162.)

Fallahi was taken into custody by Chapel Hill Police Nov. 29 after a routine background check on her application for a business license turned up the immigration violation and order for removal. She was turned over to federal authorities for transport to Charlotte. When her hearing is set, she will likely be moved closer to the immigration court in Atlanta.

The arrest has generated outrage among Fallahi's neighbors and local officials centering around the uncertainty of whether mother and daughter will ever be reunited, and the fate of Fallahi should she be sent back to a country where out-of-wedlock motherhood is a serious crime.

Contemplating the likelihood mother and child will be separated tears at you, Carrboro Alderman Dan Coleman says. "There is no humanity operating in that system."

Fourth District U.S. Rep. David Price, who has received dozens of appeals in the case, said after looking into the details, there was not a lot that he or anyone else outside of the legal system can do.

"This case is quite far advanced and that makes it harder for any of us to do anything." Last week, Price was able to convince Department of Homeland Security officials to keep Fallahi in Charlotte for as long as possible.

Wright says he, Barton and Leila will continue to make a Sunday trip to Charlotte to try to sustain the family connection. Leila, he says, is dealing with the situation much better than you'd think an 11-year-old could, although she recently confided in him how hard it is.

"She told me she's smiling during the day and crying during the night."

Keep track of developments and efforts to help at www.carrboro.com/sima.

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