



Local family arrested, awaits deportation in prison

By Jeremy Adragna
C & G Staff Writer

MADISON HEIGHTS — Federal agents arrested a Ukrainian-born Madison Heights family recently, days after a judge of the Immigration Board of Appeals denied their final appeal for political asylum.

The family's case has been in the federal court system for the last six years as Nina Klemesheva has attempted to keep her family in the United States.

Last week, the family's attorney, David Koelsch, who works pro bono on the Klemeshevas' case, filed an emergency motion to delay the family's deportation to allow them to put their affairs in order before they are sent back to Ukraine.

Most importantly, Koelsch wrote in his motion, extra time would give the family a chance to sell their home in Madison Heights and avoid foreclosure.

On April 21, four days after the Immigration Board of Appeals denied the family's request for asylum, a special unit of police known as Immigration and Customs Enforcement officers arrested all four members of the Klemesheva family and took them to Calhoun County jail where they are currently being held.

A family friend, whose son has been dating the youngest Klemesheva daughter for sometime, has been fighting to get the word out about the family's good nature.

Gina Hampton, also a Madison Heights resident, has praised the family for holding jobs and paying their taxes, and said they are all-around good people.

"They don't have any family here, but they have a lot of friends," said Hampton. "I just don't understand how in America this can happen. ... They are being treated like criminals to send them back. It doesn't make any sense. They are a good family. There has to be some way to keep them."

Koelsch, who is a professor at University of Detroit-Mercy, was hesitant to say much about the Klemesheva's case as they sit in jail. He began working on the case after the family sought the help of Freedom House, which works on immigration cases. Koelsch has worked on the Klemesheva case for the last five years.

"We take on cases from people that are fleeing persecution in their home countries," said Koelsch. "They went through a process and applied for asylum. Unfortunately, their case was not successful. That is, for large measure, because of changed



Photo by Randy Wilcox
Gina Hampton of Madison Heights is attempting to help family friends, the Klemeshevas, from being deported to Ukraine. Her son, William Hampton, has dated one of the Klemesheva daughters.

conditions in Ukraine.”

According to court documents, in July 1999 Nina Klemesheva traveled to the Netherlands, then to Mexico, where she walked across the border in Tijuana with her two young daughters, Olesandra and Nataliya. As they did, border police detained them and questioned them about their attempts to enter the United States.

At the time, Nina Klemesheva told investigators that she wanted to enter because of her husband’s bad debts in Ukraine. She said then that racketeers were pressuring her with threats, according to documents. The family was allowed to enter and later traveled to the Detroit suburbs, where Igor Klemeshev, Nina’s husband, was already living.

In March 2001, the family asked the federal government for political asylum because of their past political affiliation with a group that protested the Ukrainian government’s handling of waste left by the 1986 nuclear disaster in Chernobyl.

Nina Klemesheva told the court that following a protest in 1995, she was arrested and beaten by police while four months pregnant, which caused her to lose her unborn child. The arrest began a series of harassment from the Ukrainian government that Nina Klemesheva said forced the family to flee.

After a number of appeals, however, judge after judge has ruled to deny the family asylum — some felt Nina Klemesheva’s claims were not entirely credible, while others noted that since the late 1990s, Ukraine’s political structure has changed greatly and likely so have any criminal cases against her.

Both daughters are recent graduates of Lamphere High School, and each, until recently, worked at a Red Robin restaurant in Madison Heights, 31805 John R.

“They are wonderful people who we would love to keep here,” said Koelsch. “Unfortunately, they went through the process and they weren’t successful. It’s not for any fault of their own. It’s just that things in their home country have changed. It’s good for Ukraine, but unfortunate for them.”

The court has not yet ruled on the family’s most recent motion that they be freed from jail and allowed to sell their home. Until the family’s passports are sent to federal officials the Klemesheva’s will likely remain in prison awaiting deportation.

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