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Troutman Pepper Litigator Wins Third Circuit Immigration Case for Pro Bono Client

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Last summer, one of Troutman Pepper's trusted pro bono partners, Rosina C. Stambaugh, Esq. turned to the firm for help in an immigration appeal. It was an easy "yes" for [Chris Healy](#), an experienced Philadelphia-based litigator, not only because of his staunch belief that everyone deserves legal representation, but because he believed the client could win.

In 2019, Louis Rosario-Ovando, a U.S. lawful permanent resident from the Dominican Republic, pled guilty in Pennsylvania to one felony count of fleeing or attempting to elude the police. Deportation proceedings against Rosario-Ovando quickly followed. The government claimed that Mr. Rosario-Ovando's conviction qualified as a removable crime involving moral turpitude, or CIMT.



"Moral turpitude is a notoriously vague standard," Healy explains. "Courts have given some guidance. Generally, for a crime to qualify as a CIMT, it must require that a person *do* something reprehensible — not just illegal, but morally wrong — and that the person have done that reprehensible thing intentionally, or at least recklessly, as opposed to negligently or unknowingly. For a crime like fleeing and eluding to be a CIMT, the offense has to require that a driver place another person's life in danger."

The Pennsylvania statute was unusual because a driver could be convicted under it if they failed to immediately stop their vehicle in response to a police officer's signal, and in the course of doing so, crossed a state line, all without actually endangering another person. Mr. Rosario-Ovando's case was first before an Immigration Judge and then Board of Immigration Appeals, both of which held that the offense was nevertheless a CIMT.

When Healy was asked to represent Mr. Rosario-Ovando before the Third Circuit, he reviewed the immigration

courts' decisions, which he immediately thought seemed wrong. "The idea of moral turpitude is that a person has done something inherently wrong, like hurting another person or endangering a police officer's life. Nothing about crossing a state line seemed inherently immoral to me."

He decided to take the case. Healy drew on his extensive appellate litigation experience to craft compelling opening and reply briefs for the client.

Mr. Rosario-Ovando's story ends better than most. In March 2022, Healy argued before the Third Circuit, eloquently laying out the heart of the case and advocating for Rosario-Ovando. "The Court was very active at oral argument, asking many questions of both me and counsel for the government. It was clear that they understood the case deeply," Healy says.

On June 21, the Court issued an opinion agreeing with Healy, holding, "The government's argument that any flight from a police officer who has given a signal to stop, plus crossing a state line, is inherently dangerous, proves too much."

"I am so pleased with the outcome and very grateful for Chris' help in this matter," Stambaugh says. "My client has been released from custody and has finally reunited with his fiancé and child. It has been a long couple of years, and I could not be happier for this family."

"The Court's decision was not only favorable to our client but will be very beneficial to others facing removal," Stambaugh adds. "Immigration is very complex, and outcomes like this always make our jobs a little bit easier."

"I enjoy this type of work because I get to use my skillsets and experience to help people," says Healy, who often takes on immigration pro bono cases at the appeals stage. "The immigration laws are notoriously complex, and navigating them can be challenging even for experienced attorneys. Sadly, most non-citizens in removal proceedings will not have legal representation, making a difficult process near impossible."

Troutman Pepper has an active pro bono practice. Each year, the firm's attorneys dedicate thousands of pro bono hours in support of immigrants, nonprofits, military veterans, children, the wrongfully accused, and so many more.

"In addition to being meaningful work, pro bono matters give associates opportunities they would not normally get in the early stages of their careers," says Healy, who often supervises younger associates in pro bono appeals cases, providing detailed feedback on drafts. "Every junior or mid-level associate should try to take on one of these cases – they will gain invaluable writing experience and direct feedback. They may even get an opportunity to argue before a court of appeals."

To learn more about Troutman Pepper's commitment to pro bono, visit troutman.com.

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