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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MAE-ANN FLORES,  
  
Plaintiff,  
  
v.  
  
JERRY FLORES, JR.,  
  
Defendant.

CASE NO. 3:21-cv-05814-DGE  
  
ORDER GRANTING PLAINTIFF'S  
MOTION FOR DEFAULT  
JUDGMENT

**I INTRODUCTION**

This matter comes before the Court on Plaintiff Mae-Ann Flores' motion for default judgment. (Dkt. No. 20.) Having reviewed the motion, all supporting materials, and relevant portions of the record, the Court GRANTS the motion and ENTERS DEFAULT JUDGMENT against Defendant Jerry Flores, Jr. on the terms set forth in this order.

**II BACKGROUND**

Plaintiff Ms. Flores initiated this action to enforce her estranged husband's duty to provide financial support under the I-864 Affidavit of Support. (Dkt. No. 12 at 1.) Despite

1 proper service, Defendant Mr. Flores failed to answer or otherwise appear, and the Clerk of the  
2 Court entered default on January 10, 2022. (Dkt. Nos. 18 at 2; 19 at 1.) This motion for default  
3 judgment followed. (Dkt. No. 20.)

4 The following facts are undisputed. Plaintiff is a citizen of the Philippines and a Lawful  
5 Permanent Resident of the United States. (Dkt. No. 12 at 2.) She obtained her resident status in  
6 the United States through her marriage to Defendant. (Dkt. No. 21 at 2.) The couple met  
7 through a family connection and married in the Philippines on December 17, 2014. (*Id.* at 1-2.)  
8 Defendant is a United States Lawful Permanent Resident living in the United States. (*See id.*) In  
9 May 2016, Defendant filed an immigrant petition on Plaintiff's behalf. (*Id.* at 2.) The petition  
10 included the couple's six-year-old son, J.K.M.F, who is also a citizen of the Philippines. (Dkt.  
11 Nos. 12 at 7; 22-2 at 2.) Plaintiff's spousal visa was approved, and she arrived in the United  
12 States on June 6, 2018. (Dkt. No. 21 at 2.)

13 As a part of the spousal visa process, Defendant signed an I-864 Affidavit of Support in  
14 which he agreed to provide Plaintiff "any support necessary to maintain ... her at an income that  
15 is at least 125 percent of the Federal Poverty Guidelines for ... her household size." (*See* Dkt.  
16 22-2 at 7, 9.) Defendant signed the I-864 Affidavit of Support because "the Immigration and  
17 Nationality Act forbids admission to the United States of any alien who 'is likely at any time to  
18 become a public charge.'" *Erler v. Erler*, 824 F.3d 1173, 1175 (9th Cir. 2016) (citing 8 U.S.C. §  
19 1182(a)(4); 8 C.F.R. § 213a.2(a)). "Persons who would be inadmissible for this reason may  
20 become admissible if a sponsor executes the affidavit of support." *Id.* In effect, the I-864  
21 Affidavit of Support establishes a binding contract between the sponsor and the United States for  
22 the benefit of the immigrant spouse. *Id.*

1 The sponsor's financial support obligation terminates when the immigrant beneficiary:  
2 (1) becomes a U.S. citizen, (2) works or receives credit for 40 qualifying quarters of coverage  
3 under the Social Security Act, (3) loses their status as a lawful permanent resident and departs  
4 the United States, (4) becomes the subject of a new affidavit of support, or (5) dies. *See* 8 U.S.C.  
5 § 1183a(a)(2)-(3); 8 C.F.R. § 213a.2(e)(2)(i); *see also* *Li Liu v. Kell*, 299 F. Supp. 3d 1128, 1131  
6 (W.D. Wash. 2017).

7 Recently, Plaintiff fled from her husband due to Defendant's physical and emotional  
8 abuse. (Dkt. No. 21 at 3.) Plaintiff and her children initially received shelter from the Korean  
9 Woman's Association at an undisclosed location. (*Id.*) Since leaving Defendant on October 21,  
10 2021, Plaintiff has received no financial support from her husband. (*Id.*) She alleges that  
11 Defendant has breached his duty under the I-864 Affidavit of Support because he has not  
12 provided the support necessary to maintain Ms. Flores and her son J.K.M.F. at an income that is  
13 at least 125 percent of the poverty line for their household size of two individuals.<sup>1</sup> (Dkt. No. 12  
14 at 12.) Plaintiff confirms that no event has occurred that would terminate Defendant's obligation  
15 under the I-864 Affidavit of Support. (*Id.* at 10-11.)

16 Accordingly, Plaintiff seeks enforcement of the I-864 Affidavit of Support. She requests  
17 that the Court award damages to cover the financial support owed by Defendant since she left

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19 <sup>1</sup> Plaintiff and Defendant have three children. (Dkt. No. 12 at 7.) J.K.M.F. 1 is the parties' six-  
20 year-old son who is a citizen of the Philippines and Lawful Permanent Resident of the United  
21 States. (*Id.*) J.K.M.F. 2 and V.K.F. were born after Plaintiff immigrated to the United States and,  
22 therefore, are citizens of the United States. (*Id.*) Because J.K.M.F. 1 was included in addition to  
23 Plaintiff on the I-864 Affidavit of Support, Plaintiff's household size is two for the purposes of  
24 calculating the amount of financial support Defendant owes as the sponsor. *See Erler*, 824 F.3d  
at 1180 ("If the sponsor agreed to support more than one immigrant, and those immigrants separate  
from the sponsor's household and continue to live together, then the sponsor must provide them  
with whatever support is necessary to maintain them at an annual income of at least 125% of the  
poverty guidelines for a household of a size that includes all the sponsored immigrants.").

1 their marital home on October 21, 2021. (Dkt. No. 20 at 4-6.) Plaintiff also requests declaratory  
2 relief and an order for specific performance compelling Defendant to make monthly support  
3 payments. (*Id.* at 6.)

### 4 III DISCUSSION

#### 5 A. Legal Standard

6 After entry of default, the Court may enter a default judgment. Fed. R. Civ. P. 55(b).  
7 The general rule upon default is that well-pled allegations in the complaint regarding liability are  
8 deemed true. *Fair Hous. of Marin v. Combs*, 285 F.3d 899, 906 (9th Cir. 2002). However,  
9 allegations related to damages must be supported with evidence. *See TeleVideo Sys., Inc. v.*  
10 *Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987); *see also* Fed. R. Civ. P. 55(b)(2)(B). “The  
11 district court’s decision whether to enter a default judgment is a discretionary one.” *Aldabe v.*  
12 *Aldabe*, 616 F.2d 1089, 1092 (9th Cir. 1980). In exercising its discretion, the Court considers the  
13 following factors:

14 (1) the possibility of prejudice to the plaintiff, (2) the merits of plaintiff’s  
15 substantive claim, (3) the sufficiency of the complaint, (4) the sum of money at  
16 stake in the action; (5) the possibility of a dispute concerning material facts; (6)  
whether the default was due to excusable neglect, and (7) the strong policy  
underlying the Federal Rules of Civil Procedure favoring decisions on the merits.

17 *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986).

#### 18 B. Jurisdiction

19 Before entering default judgment, the Court must confirm that it has both subject matter  
20 and personal jurisdiction. *See In re Tuli*, 172 F.3d 707, 712 (9th Cir. 1999) (“When entry of  
21 judgment is sought against a party who has failed to plead or otherwise defend, a district court  
22 has an affirmative duty to look into its jurisdiction over both the subject matter and the parties.”).  
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1 The Court possesses both subject matter and personal jurisdiction. Subject matter  
2 jurisdiction exists pursuant to 28 U.S.C. § 1331 as this action arises under the federal  
3 Immigration and Nationality Act. *See* 8 U.S.C. § 1183a(e)(1). This Court also has personal  
4 jurisdiction over Defendant. By signing the I-864 Affidavit of Support, Defendant submitted  
5 himself to the personal jurisdiction of any federal or state court in which an enforcement lawsuit  
6 is brought. *See* 8 U.S.C. § 1183a(a)(1)(C).

7 **C. *Eitel* Factors**

8 The majority of *Eitel* factors support entering a default judgment in Plaintiff's favor.  
9 First, Plaintiff will face prejudice if the Court fails to enter a default judgment as she will be  
10 without a remedy to enforce Defendant's obligations under the I-864 Affidavit of Support.

11 The second and third *Eitel* factors favor entry of default judgment because Plaintiff's  
12 substantive claim has merit and her Complaint sufficiently alleges the elements of her claim. As  
13 outlined above, Defendant executed an I-864 Affidavit of Support; therefore, he is contractually  
14 obligated to provide Plaintiff and J.K.M.F. any support necessary to maintain their household at  
15 an income that is at least 125 percent of the Federal Poverty Guidelines. Plaintiff has received  
16 no financial support from Defendant since fleeing to a shelter on October 21, 2021. Plaintiff is  
17 unemployed, and receives no actual income.<sup>2</sup> Thus, Plaintiff and her young son have been living  
18 at an income that is below 125 percent of the poverty line since leaving Defendant. No  
19 terminating event occurred to release Defendant of his obligation under the I-864 Affidavit of  
20 Support. Accordingly, Plaintiff has alleged a meritorious claim against Defendant for breaching  
21 his contractual duty.

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<sup>2</sup> *See infra* Part III Section D.1. explaining that only taxable income is considered for the purpose  
24 of offsetting a sponsor's obligation under the I-864 Affidavit of Support.

1           Regarding the fourth *Eitel* factor, Plaintiff seeks damages equaling the amount that  
2 Defendant should have paid in order to maintain her income at 125 percent of the poverty  
3 threshold for the relevant period—October 21, 2021, when Plaintiff separated from Defendant, to  
4 January 14, 2022, when Plaintiff filed her motion for default judgment. (*See* Dkt. No. 20 at 4-5.)  
5 Calculating the prorated amount owed based on the Health and Human Services Department  
6 Poverty Guidelines for 2021, Plaintiff requests \$5,035.20 in damages. (*Id.*) Because the sum of  
7 money at stake, \$5,035.20, is reasonable given Plaintiff’s allegations, the fourth *Eitel* factor  
8 favors granting default judgment.

9           The fifth and sixth *Eitel* factors also favor entry of default judgment because the Court  
10 finds no evidence indicating a dispute concerning the material facts nor is there reason to find  
11 that Defendant’s failure to respond occurred due to excusable neglect as he was personally  
12 served on December 11, 2021. (*See* Dkt. No. 17.) Finally, although courts strongly prefer  
13 resolving claims on the merits, this last *Eitel* factor is outweighed by the preceding six points that  
14 favor entry of default judgment in this case.

#### 15           **D. Remedies**

16           Plaintiff seeks \$5,035.20 in damages, declaratory relief, and an “order of specific  
17 performance compelling [Defendant] to make monthly financial payments to Plaintiff in the  
18 amount of 125 percent of the Federal Poverty Guideline for a household of two (currently  
19 \$1,815).” (Dkt. No. 20 at 6.)

##### 20           1. Income Defendant Owes to Plaintiff’s Household.

21           To determine Plaintiff’s damages, the Court must calculate Plaintiff’s income and then  
22 reduce that income from the 125 percent poverty threshold amount for the relevant period. This  
23 calculation hinges on what the Court defines as “income.” Plaintiff argues that the Court should  
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1 apply the definition of income set forth in 8 C.F.R. § 213a.1, the regulation which defines terms  
2 used in the Affidavit of Support. (Dkt. No. 24 at 4.) “Income means an individual's total income  
3 (adjusted gross income for those who file IRS Form 1040EZ) for purposes of the individual's  
4 U.S. Federal income tax liability, including a joint income tax return[.]” 8 C.F.R. § 213a.1.

5 The Immigration and Nationality Act (“INA”) does not define income with respect to the  
6 sponsored immigrant. *See Golipour v. Moghaddam*, 438 F. Supp. 3d 1290, 1301 (D. Utah 2020)  
7 (citing *Belevich v. Thomas*, 2019 WL 2550023, \*5 (N.D. Ala. June 20, 2019)). Further, the  
8 Court is unaware, and Plaintiff has not provided, precedential cases that define “income” for the  
9 purpose of determining how much a defendant is obligated to pay a plaintiff under an I-864  
10 Affidavit of Support.

11 In unreported cases, the Ninth Circuit has held that means-tested benefits qualify as  
12 income of the sponsored immigrant. *See Erler v. Erler*, 798 F. App'x 150 (9th Cir. 2020)  
13 (affirming the district court’s holding that food stamps qualify as income to the sponsored  
14 immigrant and reducing the amount the sponsor must pay in damages). As its reasoning, the  
15 Ninth Circuit stated:

16 Means-tested public benefits, such as food stamps, are income to the recipient even  
17 if they are non-taxable for the purposes of federal income tax reporting. This does  
18 not result in a windfall for the sponsor. Section 1183a creates a requirement for the  
entity providing the public benefits to seek reimbursement from the sponsor for the  
value of the benefits provided to the sponsored immigrant.

19 *Id.* at 151 (citing 8 U.S.C. § 1183a(b)(1)(A)).

20 Further, in the unreported case, *Anderson v. Anderson*, 840 F. App'x 92 (9th Cir. 2020),  
21 the Ninth Circuit reversed a district court’s overbroad definition of income, which included  
22 wages, cash payments, property, services, gifts, educational grants, and constructively received  
23 income, such as payments made on Plaintiff’s behalf. The Ninth Circuit held the district court  
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1 erred in offsetting the sponsored immigrant’s damages with “non-income—specifically, the  
2 judgment for attorney’s fees and TRICARE health insurance benefits.” *Id.* at 95. Notably, the  
3 Ninth Circuit stated “[w]e recognize the lack of precedential authority defining ‘income’ in this  
4 context. Nevertheless, establishing a uniform definition is unnecessary to resolve this appeal and  
5 we decline [Plaintiff’s] invitation to restrict ‘income’ to the definition set forth in 8 C.F.R. §  
6 213a.1.” *Id.*

7           However, because *Erler* and *Anderson* are both unreported cases, they do not bind this  
8 Court. “Unpublished dispositions and orders of [the Ninth Circuit] are not precedent, except  
9 when relevant under the doctrine of law of the case or rules of claim preclusion or issue  
10 preclusion.” Ninth Circuit Rule 36-3.

11           Diverging from *Erler* and *Anderson*, Plaintiff argues that, in this matter, the Court should  
12 defer to the agency definition of income set forth at 8 C.F.R. § 213a.1. Plaintiff asserts that  
13 *Chevron* deference to 8 C.F.R. § 213a.1 requires defining income as taxable income for the  
14 purpose of determining damages in an Affidavit of Support enforcement action. (Dkt. No. 24 at  
15 7.) Because the INA is silent as to the definition of income, the question before the Court is  
16 whether the agency’s definition of income set forth in 8 C.F.R. § 213a.1 is permissible under the  
17 statute. (*See id.* at 13.) Plaintiff argues that “no portion of 8 C.F.R. Part 213a has ever been  
18 successfully challenged as being arbitrary or capricious under *Chevron*” and “the definition of  
19 income at 8 C.F.R. § 213a.1 is vulnerable to no such challenge, and one should not be raised *sua*  
20 *sponte* in these proceedings.” (*Id.* at 13-14.)

21           Plaintiff further argues that the *Erler* and *Anderson* decisions do not consider 8 C.F.R. §  
22 213a.1 or discard it for invalid reasons. (*Id.* at 16.) Plaintiff asserts that, although it does not  
23 provide definitions, the INA uses the term income in two different contexts—the context of the  
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1 sponsored immigrant’s individual income and the context of how an individual demonstrates  
2 adequate financial means to serve as a sponsor. (Dkt. No. 24 at 8.) Regarding the immigrant’s  
3 income, 8 U.S.C. § 1183a(a)(1)(A) provides that “the sponsor agrees to provide support to  
4 maintain the sponsored alien at an annual income that is not less than 125 percent of the Federal  
5 poverty line during the period in which the affidavit is enforceable[.]” On the other hand, 8  
6 U.S.C. § 1183a(f)(6) provides the ways in which a sponsor must demonstrate means to maintain  
7 income.<sup>3</sup>

8 Plaintiff contends that 8 C.F.R. § 213a.1 provides definitions for the two contexts in  
9 which the INA uses the term “income” under 8 U.S.C. § 1183a(a)(1)(A) and 8 U.S.C. §  
10 1183a(f)(6) by defining both “household income” and “income.”

11 Household income means the income used to determine whether the sponsor meets  
12 the minimum income requirements under sections 213A(f)(1)(E), 213A(f)(3), or  
213A(f)(5) of the Act. ...

13 [...]

14 Income means an individual's total income (adjusted gross income for those who  
15 file IRS Form 1040EZ) for purposes of the individual's U.S. Federal income tax  
16 liability, including a joint income tax return (e.g., line 22 on the 2004 IRS Form  
1040, line 15 on the 2004 IRS Form 1040A, or line 4 on the 2004 IRS Form 1040EZ  
or the corresponding line on any future revision of these IRS Forms). ...

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20 <sup>3</sup> See 8 U.S.C. § 1183a(f)(6)(iii)

21 A reference to an annual income equal to at least a particular percentage of the  
22 Federal poverty line means an annual income equal to at least such percentage of  
23 the Federal poverty line for a family unit of a size equal to the number of members  
of the sponsor's household (including family and non-family dependents) plus the  
total number of other dependents and aliens sponsored by that sponsor.

1 8 C.F.R. § 213a.1. Plaintiff claims that the Court is bound by the definition of “income” in 8  
2 C.F.R. § 213a.1, and therefore, Plaintiff’s income is limited to her taxable income. (Dkt. No. 24  
3 at 20.)

4 Given the lack of precedential authority defining “income” in this context, the Court  
5 agrees that it makes sense to apply the definition set forth in 8 C.F.R. § 213a.1. Additionally,  
6 because Defendant defaulted, the parties have not presented a compelling reason for discarding  
7 this definition. Accordingly, the Court follows other district courts that have used 8 C.F.R. §  
8 213a.1 to determine the plaintiff’s income. *See Sultana v. MD Safayet Hossain*, 2021  
9 WL5936909, \*2 (N.D. Tex. Dec. 15, 2021) (using 8 C.F.R. § 213a.1 to define income in granting  
10 the plaintiff a preliminary injunction against her former husband, I-864 Affidavit of Support  
11 sponsor); *Fukita v. Gist*, 2021 WL288121, \*5 (D. Minn. Jan. 28, 2021) (“As used in the pertinent  
12 regulations, ‘income’ means the sponsored immigrant's federally taxable income.”).

13 Plaintiff is unemployed and has received no financial support from Defendant since she  
14 left on October 21, 2020. (Dkt. No. 21 at 3.) Because Plaintiff does not have earned income for  
15 the relevant period and the public assistance afforded to her household is not taxable income,<sup>4</sup> no  
16 offsets apply to reduce the amount owed by Defendant. Because no offsets are required, the  
17 Court awards Plaintiff damages in the amount of \$5,035.20.

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19 <sup>4</sup> Regarding the public benefits Plaintiff has received since separating from Defendant, Plaintiff  
20 and her children have lived in a shelter and transitional housing providing by the non-profit  
21 Korean Women’s Association. (Dkt. No. 25 at 2.) As a household, Plaintiff and her children  
22 receive food assistance benefits in the amount of approximately \$835 per month, around half of  
23 which can be ascribed to Plaintiff and her son. (*Id.* at 4.) Further, Plaintiff’s three children  
24 receive cash benefits of \$771 per month under Temporary Assistance for Needy Families  
(TANF). (Dkt. No. 25-1 at 1.) This benefit is based on the amount that Defendant is obligated  
to pay in child support but has failed to pay. (Dkt. No. 25 at 3.) Child support payments are not  
considered income for the I-864 Affidavit of Support. *See Younis v. Farooqi*, 597 F. Supp. 2d  
552, 555 (D. Md. 2009) (finding that child support is not income of the sponsored immigrant  
because it is given for the benefit of the child and not the other parent).

1       2. Declaratory Relief

2       Plaintiff seeks a declaration from the Court stating that “Plaintiff is entitled to continued  
3 receipt of financial support from Defendant in the amount of 125 percent of the poverty line for  
4 her household size of two, less actual income, until the occurrence of one of the Terminating  
5 Events[.]” (Dkt. No. 20 at 6.)

6       “Declaratory relief should be denied when it will neither serve a useful purpose in clarifying  
7 and settling the legal relations in issue nor terminate the proceedings and afford relief from the  
8 uncertainty and controversy faced by the parties.” *United States v. State of Wash.*, 759 F.2d  
9 1353, 1357 (9th Cir. 1985). Here, a declaratory order would merely reiterate the obligation  
10 already established by the I-864 Affidavit of Support contract. Accordingly, declaratory relief  
11 should not be granted. Thus, Court denies Plaintiff’s request for a declaratory order.

12       3. Specific Performance

13       Plaintiff requests that the Court order specific performance of the I-864 Affidavit of  
14 Support. Plaintiff requests default judgment as follows:

15             An order of specific performance compelling the Defendant to make monthly  
16 financial payments to Plaintiff in the amount of 125 percent of the Federal Poverty  
17 Guideline for a household of two (currently \$1,815); mandating that the Defendant  
18 transmit such monthly payments by wire transfer to the client trust account for  
19 Plaintiff’s counsel on the first business day of each calendar month; and that such  
20 payments shall continue until the case at bar is resolved or until the occurrence of  
21 one of the five terminating conditions set forth in the Affidavit of Support,  
22 whichever occurs first[.]

23       (Dkt. No. 20 at 6.)

24       An order for specific performance is an available remedy to enforce an I-864 Affidavit of  
Support. 8 U.S.C. § 1183a(c). Since Plaintiff filed her motion for default judgment, the Health

1 and Human Services Department released the 2022 Federal Poverty Guidelines.<sup>5</sup> Therefore, the  
 2 Court revises the amount of month support owed to \$1,907.30 based on the new 2022 Federal  
 3 Poverty Guidelines. The Court ORDERS Defendant to make monthly payments to Plaintiff in  
 4 the amount of 125 percent of the Federal Poverty Guidelines for a household of two (currently  
 5 \$1,907.30), less any taxable income earned by Plaintiff, until Plaintiff (1) becomes a U.S. citizen,  
 6 (2) works or receives credit for 40 qualifying quarters of coverage under the Social Security Act,  
 7 (3) loses her status as a lawful permanent resident and departs the United States, (4) becomes the  
 8 subject of a new affidavit of support, or (5) dies.

#### 9 IV CONCLUSION

10 Accordingly, and having considered Plaintiff's motion and the remainder of the record,  
 11 the Court finds and ORDERS that:

12 1. Plaintiff's motion for default judgment (Dkt. No. 20) is GRANTED, as follows:

13 Default Judgment is ENTERED against Jerry Flores Jr. in the amount of \$5,035.20.

14 2. Plaintiff's request for declaratory relief is DENIED without prejudice.

15 3. Defendant shall make monthly payments to Plaintiff in the amount of 125 percent of  
 16 the Federal Poverty Guidelines for a household of two (currently \$1,907.30), less any  
 17 taxable income earned by Plaintiff, until Plaintiff (1) becomes a U.S. citizen, (2)

18 works or receives credit for 40 qualifying quarters of coverage under the Social  
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20 <sup>5</sup> See Annual Update of the HHS Poverty Guidelines, 87 Fed. Reg. 3315 (Jan. 21, 2022),  
 21 available at [https://www.federalregister.gov/documents/2022/01/21/2022-01166/annual-update-](https://www.federalregister.gov/documents/2022/01/21/2022-01166/annual-update-of-the-hhs-poverty-guidelines)  
 22 [of-the-hhs-poverty-guidelines](https://www.federalregister.gov/documents/2022/01/21/2022-01166/annual-update-of-the-hhs-poverty-guidelines) (last visited Mar. 3, 2022). The Court may take judicial notice *sua*  
 23 *sponte*. Fed. R. Evid. 201(c)(1). Additionally, the Court may take judicial notice of information  
 24 published on government websites. See *Daniels-Hall v. Nat'l Educ. Ass'n*, 629 F.3d 992, 998-99  
 (9th Cir. 2010) (taking judicial notice of information on two school districts' websites because  
 they were government entities).

1 Security Act, (3) loses her status as a lawful permanent resident and departs the  
2 United States, (4) becomes the subject of a new affidavit of support, or (5) dies.

3 4. Defendant shall transmit monthly payments to Plaintiff by wire transfer to the client  
4 trust account for Plaintiff's counsel on the first business day of each calendar month.

5 5. Plaintiff shall provide Defendant written notice of any and all taxable income she  
6 receives before the first business day of the next month, so that Defendant may  
7 reduce the monthly payment by that amount.

8 6. Plaintiff shall provide Defendant written notice that his I-864 Affidavit of Support  
9 obligation has ended if she (1) becomes a U.S. citizen, (2) works or receives credit for  
10 40 qualifying quarters of coverage under the Social Security Act, (3) loses her status  
11 as a lawful permanent resident and departs the United States, (4) becomes the subject  
12 of a new affidavit of support, or (5) dies.

13  
14 Dated this 7th day of March, 2022.

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18 David G. Estudillo  
19 United States District Judge  
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