

Family Forced to Separate to Save Dad's Life

February 26 was a somber day for Hanna Martinez when she tearfully said goodbye to her husband as he left for Mexico with life-threatening medical problems. Almost as soon as he left, their two-year-old daughter Marisa was asking, "Where's daddy?" She was too young to understand that she would not be seeing him for many months, if ever again. Weeks before, her dad, Lorenzo Carmona, 39, had become seriously ill with kidney failure.

"He had been saying his head was hurting and he was losing vision in his left eye.

He was sleeping a lot," Martinez said. "Then one day he

said, honey, I can't see. I can't see—so his friend took him to an urgent care center." Carmona's blood pressure was dangerously high and he was taken by ambulance to a hospital. Doctors discovered he had only one kidney and would require dialysis and a kidney transplant. But Carmona would not be able to get the medical treatment he needed in the United States. He was uninsured because of his immigration status. His wife, Hanna, a US Citizen, had filed an immigration petition for him, but severe backlogs in processing had held up his application for several years.

Carmona was stabilized and then the couple began to discuss their options. It was becoming clear that the family would have to split up—perhaps permanently—to save Carmona's life. "It was so sad," Martinez said. "No one was helping us, anywhere we called. No one would set up a payment plan with us," Martinez said. "I told him that he can't just stay here and die." Immigration lawyers told Martinez that once Carmona left the country, there was no guarantee he would be able to re-enter.

Carmona had worked in a factory for eight years and was laid off when the factory shut down late in 2008. He and Martinez met in 2005 and seemed to fulfill each other's needs. They decided to get married. "He's just wonderful. He didn't speak English and I didn't speak Spanish, so it was interesting,"

Martinez said. Tearfully, she said that he was also a good father to her two sons from a previous marriage. "He would do so much around

here. I don't know how to cook to save my life. He did all the cooking, cleaning, yard work," Martinez said. "He's the only man I've ever known that would just hand over his paycheck. I have no idea how I'm going to survive without him."

A year ago, they purchased home, and Martinez has fallen behind on the payments. Meanwhile, Carmona has been in Mexico two months now and is undergoing dialysis. They are hopeful he will get a kidney transplant. "I'm taking it one day at a time,"



Hanna Martinez with daughter, Marisa.
Photo by Veronica Dahlberg

Martinez said. "I had to go on food stamps. I don't know how I'm going to make it without him. All because of the whole immigration thing."

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LEGAL AID'S NEW WAGE PROJECT HELPS WORKERS WITH UNPAID WAGE & OVERTIME CLAIMS

Have You Ever Been Paid Late or Not at All? Have You Ever Been Paid Less than the Minimum Wage or Not Paid for Overtime? Is Your Employer Withholding Your Last Paycheck?

Low-income workers who answer yes to any of these questions can now turn to The Legal Aid Society of Cleveland for help. Legal Aid began its Wage Project in the summer of 2007. The Wage Project is now staffed by two attorneys, Julie Clutter and Katie Laskey-Donovan. The Wage Project provides legal representation to workers with minimum wage and other unpaid wage claims, provides outreach and education on workers' rights and seeks to remove barriers to employment and wages. Ms. Clutter and Ms. Laskey-Donovan report that low-wage

workers typically face problems that include: failure to receive a last paycheck, unlawful deductions from pay, unpaid overtime hours, and payment below the minimum wage pay rate of \$7.30/hour.

How to Contact Legal Aid

Legal Aid looks forward to educating the community members and helping workers enforce their rights. Anyone who feels they have not been paid properly or has other employment law questions should call the Legal Aid Society of Cleveland at one of our toll-free numbers:

Ashtabula County: 1-866-873-9665
Cuyahoga County: 1-888-817-3777
Lake & Geauga Counties:
1-888-808-2800
Lorain County: 1-800-444-7348

Free Brief Advice Clinic

You can also attend one of Legal Aid's FREE Brief Advice and Referral Clinics. **On Saturday June 6, 2009, Legal Aid is hosting a special clinic focusing on employment law issues from 9:00 a.m. – 12:00 p.m. at the Spanish American Committee.** The Spanish American Committee is located at 4407 Lorain Ave, Cleveland, OH, 44113. Come and get answers to your employment and other legal questions. Interpreters will be available to assist non-English speakers. For information on additional Legal Aid Brief Advice clinics, please go to www.laslev.org.

This article was written by Katie Laskey-Donovan, Esq., Wage Project staff attorney at the Legal Aid Society of Cleveland.

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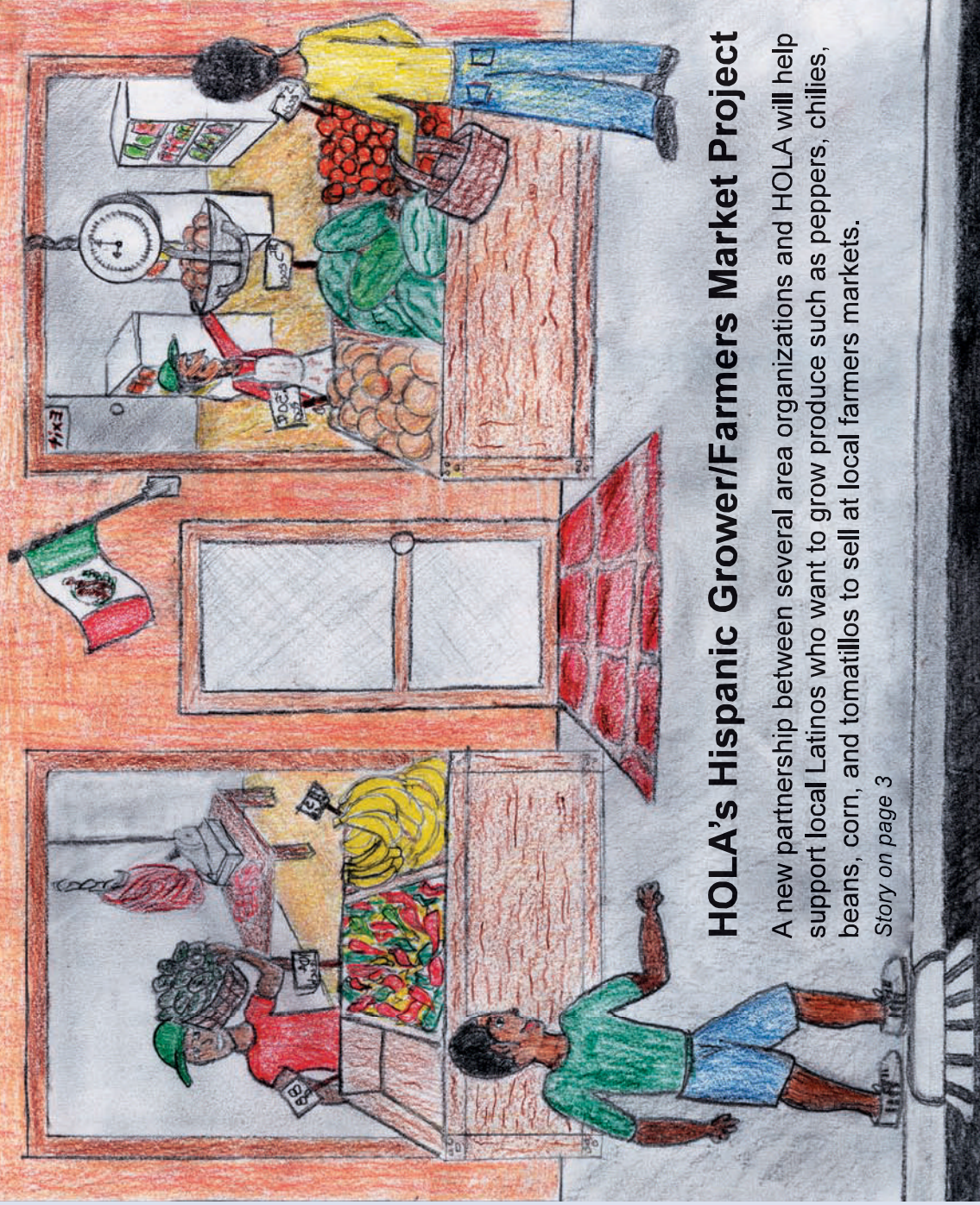
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HOLA's Hispanic Grower/Farmers Market Project

A new partnership between several area organizations and HOLA will help support local Latinos who want to grow produce such as peppers, chilies, beans, corn, and tomatillos to sell at local farmers markets.

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Artwork by Leonardo Ornelas, age 14, a student at Heritage Middle School, in Painesville, Ohio.