



GARDNER & MENDOZA, P.C.

# THE LEGAL BEAGLE

## IMMIGRATION | TRAFFIC | CRIMINAL DEFENSE

A publication by the Husband & Wife Legal Team

Summer 2018



Pops with the Gardner Mendoza Mini's

## In Memory of Pops

(James Gardner - January 13, 1944 - April 21, 2018)

By Radlyn Mendoza

When I met John's dad, I was a first year law student and John and I were just friends. John asked me if I wanted to meet some high-powered lawyers who his dad was having dinner with in New York City and go see a show. I was ambitious, this guy was cute...sure, I said. Little did I know that Mr. Gardner was his son's wingman in

a sense. He used his dad to impress me. Funny, charming, took over the table of so called high powered lawyers and then scored nearly front-row Phantom of the Opera tickets for us. This John Gardner guy is not too bad I thought at the end of the night as we walked Mr. Gardner to the World Trade Center building to catch his train. He was happy, we were happy. it was a magical night.

I was confused at first that John's dad was not a lawyer since he was hanging out with lawyers. An engineer. An engineer to me signaled math. Lawyers and math don't really mix so, I still didn't get it. But I later learned that Mr. Gardner had an illustrious career as an engineer for Firestone and was the most sought out tire expert in the world. He was a key government witness in the Oklahoma City and first World Trade Center bombings. He also held 11 patents. One of the visitors at Pops' calling hours said that Firestone would not have survived their recall if it had not been for him. Another engineer called him a sage, and choked up when he said that whenever their team had a problem they couldn't solve, "Jim always knew the answer."

There were many comments about Pops, but overwhelmingly, all of those

who were at the calling hours said that he was adored by all, he always had a smile on his face, he lit up a room, and person after person told us his family was the most important thing in the world to him.

When John talked to his dad over the months and weeks prior to his passing, Pops always ended the call or the visit with "stay strong, take care of your family". Because that's what he did, and that's what he wanted his sons to do. In the end, even though he suffered greatly, Pops was never bitter, he never complained, he told John on several occasions that he lived a good life, he didn't get robbed, he was married for 53 years to the love of his life, and he had the best sons and grandchildren.

Of all he did, I will say that his *tour de force* was being a grandpa. When grandpa was around, I knew my kids would have a playmate on the floor with them, doing something interesting like building traps to catch Mr. Peanut or spray painting t-shirts for a dodgeball tournament. He was extremely generous with his time and lavished the kids with amazing trips. He wanted them to experience everything even if it meant skipping school, much to the kids' delight!

Let me leave you with what Rae, who is 7, said about her grandpa recently. She said, "mommy, I bet grandpa is laughing in heaven right now. He was funny."

Rae is right. The man who loved to laugh, joke and and brighten up the room is laughing that laugh of his right now, probably calling whatever he just said a knee slapper. He is at peace now and no longer in pain. I know that as hard as it will be for us without him, he wants us to be at peace too and be joyful with the help of all of his wonderful memories and with the strength of each other. So be strong. Take care of your family. Just like Pops would want.



## Ask Our Legal Beagle

**Q:** Why is my Citizenship case taking so long with USCIS? I have a brother, and when he filed for Citizenship two years ago, it took less than six months.

**A:** This problem will make any dog howl in the night! My mom and dad worry about processing times with USCIS too, but unfortunately, all you can do is wait. They recently met with the Washington, DC District Director, Sarah Taylor, and the Norfolk Field Office Director, Frank Reffel at a luncheon and were told that Naturalization cases are taking from 10 1/2 months to 15 1/2 months. These fine folks said that now that they are interviewing all green card applicants for employment cases, there is a major backlog for all interviews, not just U.S. Citizenship. Processing times can also be found at <https://egov.uscis.gov/processing-times/> Good luck with the wait. I guess the only good news with this is it gives you more time to study for that test.



# Business Spotlight - Tinto Wine & Cheese

Have you ever wanted to pick up a bottle of wine – something special, maybe – but wanted to consult with an expert before buying? Or, for those of us who may not be connoisseurs in their own right, have you ever just wanted someone to help you figure out what the heck you like? If so, look no further than Tinto Wine & Cheese, at their Virginia Beach location – conveniently located across the street from Gardner & Mendoza at Hilltop!

Owned by Virginia Beach local Peter Brinkman and his wife Nina, Tinto specializes in small batch production wines, offering a wide variety at specific price points ranging from the everyday to special occasion. At Tinto, you can sample each and every bottle prior to purchase as managers Emma Hart and Keith Maloney guide you to your perfect bottle. Not ready to rush home? Stay awhile and have a glass while enjoying a beautifully prepared charcuterie and cheese board – you may even run into some of the team members at Gardner & Mendoza doing the same!

If you love Tinto as much as we do, be sure to check out Tinto's Wine Club Memberships so you can enjoy all of their member discounts, especially on its exciting tastings and flights that highlight particular grapes or regions. Oh, and did we mention that Tuesday is Grilled Cheese Night? Join us in supporting our local businesses; you won't regret it!

640 Hilltop West • Virginia Beach • 757-422-1000



Tinto Managers  
Keith Maloney and  
Emma Hart

## Granny's Cobbler

### Ingredients:

2 cups fresh fruit  
1 cup flour  
1 cup milk  
1 cup sugar  
1 teaspoon baking powder  
dash of salt  
1/2 stick (1/4 cup) butter

### Directions:

Preheat oven to 350. Melt butter in pan & swish around. Combine ingredients & pour into pan. Pour fruit over batter. Bake for 45 minutes.

\*If you use sweetened canned fruit, drain off liquid & add enough milk to make 1 cup & use instead of the 1 cup milk.



"My (Kiley's) Granny worked in the Engineering Department of the West Virginia department of highways at a time when most women were housewives. Because of her busy career, she did not have time to prepare elaborate meals or desserts. So, she would throw together this cobbler, with any fruit she had on hand, for a quick dessert for the family. The tradition was passed down as an easy, delicious dessert, perfect for the working woman (or man)."

Attorney Kiley Holshey's grandmother,  
Mary Jane Holmes, in her office in 1981.

## Client's Corner Veronica Barnes



Veronica and her family at her oath ceremony

Today, I can finally say that after applying for citizenship and passing the civics portion of the interview, I will soon be sworn in as a citizen of the United States. I have been blessed to have had phenomenal attorneys like Gardner & Mendoza and great organizations like AILA (American Immigration Lawyers Association) at my side to make this day possible. While I am overjoyed to share in this victory with them today, there hasn't always been joy at my legal status. This was because of a decision my parents made for me when I was only three years old. This decision would have profound ramifications in my life; one that would carry over into my

adulthood. Today as a parent myself, I can sympathize with the decision my parents made in bringing me to the U.S. without proper documentation. My mom and dad were doing what they thought was in the best interest of their child like many parents do.

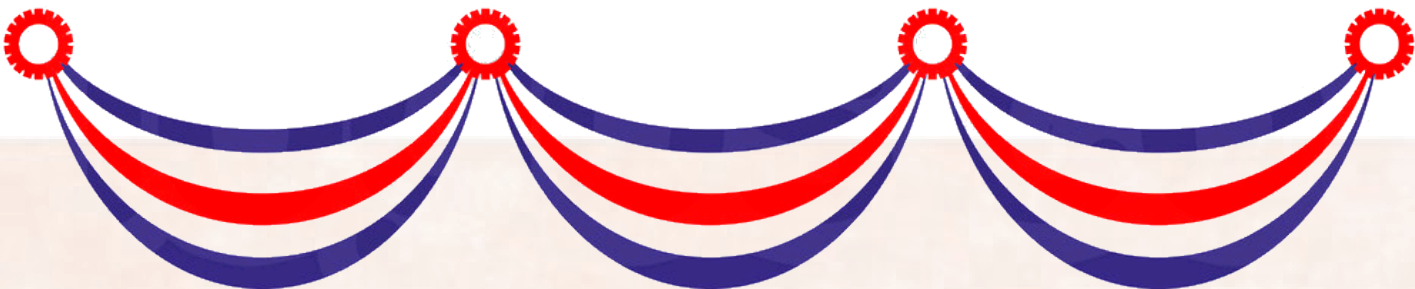
It was almost a year ago now that I heard of Jeanette Vizguerra, a mother in Denver who took refuge in the basement of a church as she faced the risk of deportation and ultimately separation from her documented

children. While I do not condone doing illegal acts by any means my immediate thought at this news story was that of my parents' choice to bring me to this country illegally. The children of undocumented parents are children and should not be penalized for the actions of their parents. I felt it in my soul to do something, anything. I knew of a great law firm in my area so I reached out to them. Soon after I went to the law offices of Gardner & Mendoza and shared a little bit of my story. I shared how I could see myself in Ms. Vizguerra being a mom myself. There is nothing more heartbreaking to me than to see families being separated due to deportation. To be snatched away from your children would be devastating to any parent. Yet, this occurs all the time.

While I am not aiming to persuade anyone to change their political affiliation, the intention behind sharing this is that if we can empathize and put ourselves in the shoes of other parents, if we can look past political/legal bureaucracy and do what is in the best interest of ALL children, undocumented or not, then maybe we can keep families united. Again, I want to share my absolute love for this country and the premise it was built under that all humans "are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness..."

Did I already mention I was sworn in as an American citizen?

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**GARDNER & MENDOZA, PC**  
ATTORNEYS AT LAW

909 First Colonial Road, Suite 100  
Virginia Beach, VA 23454 (757) 464-9224  
gardnerandmendoza.com



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## 4th of July Fun Facts

### Did you know....

- Americans consume roughly 155 million hot dogs on the 4th.
- "God Bless the USA" by Lee Greenwood is the most popular song played on YouTube in Virginia on the 4th of July
- On July 4th, Americans spend over \$800 million annually in fireworks
- The 4th of July is the beer industry's Black Friday, representing the highest sales all year (yes, more than the Superbowl!)
- New York City's Macy's Fireworks Show is considered the nation's largest 4th of July celebration
- The movie Independence Day was the highest grossing film the year it came out (1996)

