

17:18

MIYAMOTO, SATORU

1950-1954

78/177

C

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco, 4, California

May 2, 1950

The Board of Immigration Appeals
Department of Justice
Washington 25, D. C.

Gentlemen:

In re: Satoru Miyamoto
Seabrook Farms, N. J.

Enclosed find appearance form and three original application forms to reopen cause for the purpose of enabling Satoru Miyamoto, Peruvian-Japanese, who is living at Seabrook Farms, Bridgeton, New Jersey, to apply for a suspension of deportation, together with accompanying affidavit of merits. An original application form also is being sent to the District Director, USI&NS, Philadelphia, Penn.

Very truly yours,

Copy to:
District Director, USI&NS
Philadelphia, Penn.

U. S. DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS
WASHINGTON

May 16, 1950

In re: **Satoru Miyamoto**
File No. 5967435
ALM:rmd

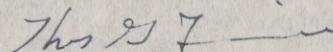
Wayne M. Collins, Esquire
Mills Tower, 220 Bush Street,
San Francisco, California.

My dear M r. Collins:

This will acknowledge receipt of your communication dated May 2, 1950, with reference to the above case.

You will be informed of further action which may be taken by the Board. However, the filing of a motion with the Board does not operate to stay the outstanding order in the case. Until such time as a new decision is entered by the Board, the outstanding order remains in full force and effect.

Sincerely yours,


Thos. G. Finucane
Chairman

U. S. DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS
WASHINGTON

File
ADDRESS REPLY TO BOARD OF
IMMIGRATION APPEALS AND
REFER TO FILE NUMBER

5967435

SATORU Miyamoto

June 2, 1950

Wayne M. Collins, Esquire
Mills Tower
220 Bush Street
San Francisco 4, California

My dear Mr. Collins:

Reference is made to the motion submitted in the above case.

For your information, there is enclosed herewith copy of the decision of the Board of Immigration Appeals.

This decision will not become effective until notification has been transmitted by the Immigration and Naturalization Service to the field office which handled the case. Any further information concerning this matter may then be obtained from the field office.

Sincerely yours,

Thos. G. Finucane

Thos. G. Finucane
Chairman

U. S. DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS

JUN 2 - 1950

IN THE MATTER
OF
SATORU MIYAMOTO

FILE NO: A-5967435

IN DEPORTATION PROCEEDINGS

MOTION

IN BEHALF OF RESPONDENT: Wayne M. Collins, Esquire
Mills Tower, 220 Bush Street
San Francisco 4, California

This case comes before us for reconsideration.

Our most recent order herein directed that action be held in abeyance pending the conclusion of litigation involving the same subject matter, viz: The possible relief from deportation of certain aliens of the Japanese race. Since that order was entered such litigation has been concluded or has become inactive and Congress has amended Section 19(c) to broaden the class of aliens who may be granted suspension of deportation (Public Law 863, 80th Congress, approved July 1, 1948).

ORDER: It is ordered that the hearing be reopened for the reception of such application for relief from deportation as may be made and for further appropriate proceedings in connection therewith.

IT IS FURTHER ORDERED that the outstanding order and warrant of deportation be and the same are hereby withdrawn.

LLN/ugb

Chairman

I-226
Rev. 11-3-50

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Lafayette Building, Fifth & Chestnut Streets
Philadelphia 6, Pennsylvania

Mr. Satoru Niyamoto
Dormitory 3
Seabrook Farms, New Jersey

Date January 18, 1952

File No. A-5 967 435

Dear Sir:

Pursuant to warrant of arrest served on you on Mar. 31, 1946 you are advised to appear at 10 A. M., on January 28, 1952, in Room 717, Lafayette Building, 5th & Chestnut Sts., Philadelphia, Pennsylvania for a hearing to enable you to show cause why you should not be deported from the United States in conformity with law. **You should be accompanied by a person who will be able to interpret into English the language you speak.**

The hearing under said warrant is being held pursuant to authority contained in and jurisdiction conferred by Sections 19 and 20 of the Act of February 5, 1917, as amended (8 U.S.C. 155, 156).

It is asserted that (1) you are an alien, and (2) you entered the United States at San Pedro, California, on February 6, 1946, and that you are in the United States in violation of the Immigration Act of May 26, 1924, in that, at the time of entry, you were an immigrant not in possession of a valid immigration visa and not exempted from the presentation thereof by said Act or regulations made thereunder; the Passport Act approved May 22, 1918, as amended, and the Act of February 5, 1917, in that, at ** You are advised that at the hearing you have the right to be represented by counsel of your own choice and at your own expense, or by any other person duly qualified to practice before the Immigration and Naturalization Service. You are further advised that you should bring to the hearing any documents which you desire to have considered in connection with the case. If any of these documents is in a foreign language, you should bring the original and certified translation thereof. **A copy of this letter is being forwarded to your attorney, Wayne M. Collins, Esquire, 1701 Mills Tower, 220 Bush St., San Francisco 4, California.**

You are further advised that if you are deported or if you depart under an order of deportation you will not be permitted to enter the United States within one year after the date of your departure. If you desire to enter the United States after one year has elapsed from the date of your deportation or departure under an order of deportation you must obtain permission from the Attorney General to apply for admission into the United States. If you enter the United States at any time after deportation or departure under an order of deportation without receiving permission from the Attorney General, you will be guilty of a felony and upon conviction be liable to imprisonment of not more than two years or a fine of not more than \$1,000, or both such fine and imprisonment.

****the time of entry, you did not present an unexpired passport or official document in the nature of a passport issued by the government of the country to which you owe allegiance or other travel document showing your origin and identity, as required by executive Order in effect at time of entry; and the Immigration Act of May 26, 1924, as amended, in that, you are an alien ineligible to citizenship and were not entitled to enter the United States under any exception of paragraph (c), Section 13, thereof.**

Karl I. Zimmerman
District Director

COPY TO: Wayne M. Collins, Esquire
1701 Mills Tower
220 Bush St.
San Francisco 4, California.

I-226
(Rev 11-3-50)

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Lafayette Building, Fifth & Chestnut Streets
Philadelphia 6, Pennsylvania

Satoru Miyamoto
Dormitory #3
Seabrook Farms, New Jersey

Exp. January 28, 1952
Date

File No. A-5,967,435

Dear Sir:

Pursuant to warrant of arrest served on you on March 31, 1946, you are advised to appear at 10:00 AM M., on February 1, 1952, in Room 717 Lafayette Building, 5th & Chestnut Sts., Philadelphia, Pennsylvania for a hearing to enable you to show cause why you should not be deported from the United States in conformity with law. **You should be accompanied by a person who will be able to interpret into English the language you speak.**

The hearing under said warrant is being held pursuant to authority contained in and jurisdiction conferred by Sections 19 and 20 of the Act of February 5, 1917, as amended (8 U.S.C. 155, 156).

It is asserted that (1) you are an alien, and (2) you entered the United States at San Pedro, California on February 6, 1946, and that you are in the United States in violation of the Immigration Act of May 26, 1924, in that, at the time of entry, you were an immigrant not in possession of a valid immigration visa and not exempted from the presentation thereof by said Act or regulations made thereunder; the Passport Act approved May 22, 1918, as amended, and the Act of February 5, 1917, in that, at

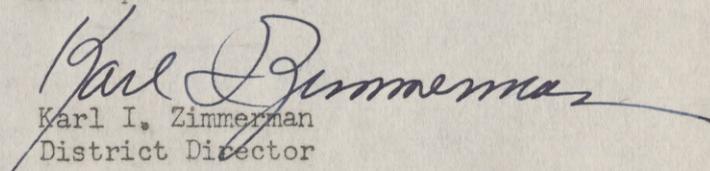
(OVER)

You are advised that at the hearing you have the right to be represented by counsel of your own choice and at your own expense, or by any other person duly qualified to practice before the Immigration and Naturalization Service. You are further advised that you should bring to the hearing any documents which you desire to have considered in connection with the case. If any of these documents is in a foreign language, you should bring the original and certified translation thereof. **A copy of this letter is being furnished your counsel, Wayne M. Collins, Esquire, 220 Bush Street, San Francisco 4, California.**

You are further advised that if you are deported or if you depart under an order of deportation you will not be permitted to enter the United States within one year after the date of your departure. If you desire to enter the United States after one year has elapsed from the date of your deportation or departure under an order of deportation you must obtain permission from the Attorney General to apply for admission into the United States. If you enter the United States at any time after deportation or departure under an order of deportation without receiving permission from the Attorney General, you will be guilty of a felony and upon conviction be liable to imprisonment of not more than two years or a fine of not more than \$1,000, or both such fine and imprisonment.

✓ COPY TO:

Wayne M. Collins
1701 Mills Tower
220 Bush Street
San Francisco 4, California


Karl I. Zimmerman
District Director

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
San Francisco, California

1924

the time of entry, you did not present an unexpired passport of official document in the nature of a passport issued by the government of the country to which you owe allegiance or other travel document showing your origin and identity, as required by Executive Order in effect at time of entry, and the Immigration Act of May 26, 1924, as amended, in that, you are an alien ineligible to citizenship and were not entitled to enter the United States under any exception of paragraph (c), Section 13 thereof.

COPY TO:

Rayne M. Collins
1901 Mills Tower
220 Park Street

San Francisco 4, California

January 31, 1952

District Director
Immigration & Naturalization Service
Lafayette Building, 5th & Chestnut Sts.
Philadelphia 6, Pennsylvania

Dear Sir:

Re: Satoru Miyamoto - A-5967435
Banemon Takahashi - 0400/19194

I received copies of the notices showing scheduled hearings for the alien Peruvian Japanese above-named to be held on January 28th. I would be grateful were you to forward to me copies of the recommendations made in the cases when and as they are made. If by chance any of the Peruvian Japanese at Seabrook should at any time fail to appear for a hearing, I suggest that you communicate with Mr. Koshiro Mukoyama, 55 Hoover Annex, Seabrook Farms, Bridgeton, New Jersey, who acts as spokesman for the Peruvian Japanese at Seabrook Farms.

Very truly yours,

REOPENED WARRANT HEARING:

A-5967435

Date: February 1, 1952
Place: Philadelphia, Pa.
Hearing Officer: Willard S. Layton
Stenographer: Mildred Herscher
Interpreter: Fukuji Sasaki
833 E. Parsonage Road
Seabrook, New Jersey
Respondent: SATORU MIYAMOTO

HEARING OFFICER TO RESPONDENT:

Q. Do you speak and understand the English language?
A. No.

HEARING OFFICER TO INTERPRETER:

Q. Will you please identify yourself for the record?
A. Fukuji Sasaki, 833 E. Parsonage Road, Seabrook, New Jersey.

Q. Please stand and be sworn. (Complies) Do you solemnly swear that you will accurately interpret from English to Japanese and vice versa all that is said in this proceeding?
A. Yes.

HEARING OFFICER TO RESPONDENT THROUGH INTERPRETER:

Q. What is your full, true and correct name and address?
A. Satoru Miyamoto, Dormitory No. 3, Seabrook Farms, New Jersey.

Q. Please rise and be sworn. (Complies) Do you solemnly swear that all the statements you are about to make will be the truth, the whole truth, and nothing but the truth, so help you God?
A. Yes.

Q. Are you the same Satoru Miyamoto who was accorded a hearing at Santa Fe Internment Camp, Santa Fe, New Mexico, on April 7, 1946, in deportation proceedings?
A. Yes.

Q. You are informed that on June 2, 1950, the Chairman of the Board of Immigration Appeals ordered that the hearing in your case be reopened for the reception of such application for relief from deportation as you wished to make and for further appropriate proceedings in connection therewith. Do you understand?
A. Yes.

- Q. It is noted that you have been represented throughout these proceedings by Wayne M. Collins, Esquire, 220 Bush Street, San Francisco 4, California. Is he present to represent you at this time?
- A. No, but I have been instructed to go ahead with the reopened hearing without his presence, with the understanding that he be furnished a copy of the notes of testimony so that he can protect my interests.
- Q. Are you now ready and willing to proceed with the reopened hearing in your case without being represented at this time?
- A. Yes.
- Q. Inasmuch as you are not represented at this time by counsel, you are permitted to offer evidence to meet any evidence presented or adduced by the Government, to cross-examine witnesses called by the Government, and to make objections, which will be entered on the record. Do you understand?
- A. Yes.
- Q. The record of hearing in your case shows that you entered the United States on February 6, 1943, at San Pedro, California, as a result of having been apprehended by the Peruvian police on January 7, 1943, and that you were transferred to the United States by the United States Army and then placed in an internment camp. Have you for any reason whatsoever been absent from the United States since that time?
- A. No.
- Q. I have before me Form I-256, submission to deportation process and application for suspension of deportation, and Form I-55, general information form, executed by Satoru Miyamoto at Seabrook, New Jersey, February 9, 1950, and ask if that is your signature appearing on these forms?
- A. Yes.
- Q. Has there been any change in your status since that date, such as arrests, assets, place of residence, etc.?
- A. My present assets amount to \$3,000 in cash. Everything else is the same.
- Q. Your application for suspension of deportation and general information form are being received in evidence and marked Exhibits R-1 and R-2, respectively. Do you have any objection?
- A. No.
- Q. You are also advised that you may, if you so desire, apply for the privilege of voluntary departure in lieu of deportation to any country of your choice, at your own expense. In order to establish your eligibility for this privilege, you must be able to prove that you have been a person of good moral character for the past five years and

that you are financially able to leave the United States promptly, at your own expense. Do you also wish to be considered for this privilege?

A. Yes.

Q. I also have before me affidavit of witness signed by Kisaku Kihara at Seabrook, New Jersey, February 7, 1950, attesting to your good moral character and loyalty since February 1943 to the present time; affidavit of witness signed by Uichiro Kuroki at Seabrook, New Jersey, February 9, 1950, attesting to your good moral character and loyalty to the United States since February 1943; affidavit signed by Harold S. Fistere, Personnel Director of the Seabrook Farms Company, showing that you have been employed by that company since August 21, 1946, and that you have been found to be a person of good moral character; letter signed by N. Robert Woodward, Chief of Police, Seabrook Farms, dated January 16, 1950, certifying that you have been employed by the Seabrook Farms from August 21, 1946, that you have been found to be of excellent character, and that you have no criminal record; letter dated February 17, 1950, signed by Dorothy R. Chapman, Director of Community House, Seabrook, New Jersey, certifying that from all the information that she has, she knows of no reason why you should not be permitted to stay in the United States. Is it your desire that these affidavits and letters be made a part of the record in your case?

A. Yes.

Q. They are being accepted in evidence and marked Exhibits R-3, R-4, R-5, R-6, and R-7, respectively. Do you understand?

A. Yes.

Q. I show you report of investigation dated October 18, 1951, conducted by an officer of this Service in your case, which shows that you have been of good moral character from August 21, 1946, and that no information has been received to show that you have been other than loyal to the United States. I ask you to read this report and then state if you have any comment to make regarding it?

A. No.

Q. This report is being introduced in evidence and marked Exhibit R-8. Do you have any objection?

A. No.

Q. If granted the privilege of voluntary departure, would you be able and willing to leave the United States, at your own expense, within thirty days?

A. Yes. I would be willing to go to Peru to join my wife and children within thirty days.

Q. Would you be willing, if Peru would not accept you, to depart voluntarily to Japan in thirty days?

A. No.

- Q. Official notice is being taken of the fact that at the time of your hearing in 1946 at Santa Fe, New Mexico, the Government of Peru had indicated it would not permit your reentry into that country. Do you now have any evidence which would indicate that the Government of Peru would accept you if you should be granted the privilege of voluntary departure in lieu of deportation?
- A. Nothing developed. We had appealed to our Catholic priest or somebody in Washington with all the necessary papers. I haven't heard anything definite.
- Q. Is there anyone in this country dependent upon you for support?
- A. No.
- Q. How is your family in Peru now being supported?
- A. My wife is a seamstress, and I have also sent money to them for their support.
- Q. And have you contributed toward their support to the best of your ability ever since you have been in the United States?
- A. Yes.
- Q. And have you for any reason whatsoever been arrested in this or any other country for any crime or misdemeanor?
- A. No.
- Q. If you are found to be subject to deportation and ordered deported, what country do you wish to specify as the country to which you shall be deported?
- A. Peru.
- Q. What is your objection to being deported to Japan, your native country?
- A. I have no family ties in Japan. My wife and two children are living in Peru. My wife and two children were born in Peru and are citizens of that country, and I do not see any reason why I should not be permitted to join them under those circumstances.
- Q. Have you any further statement you wish to make as to why you should not be deported?
- A. No.
- Q. You are informed that you will be furnished with a copy of my summary of the evidence, findings of fact, conclusions of law, and order, and you will be given a reasonable period of time within which to take exceptions thereto if you so desire. Do you understand?
- A. Yes.
- Q. And am I correct in assuming that it is your desire that a copy of my

decision be furnished your counsel, Mr. Collins, in San Francisco?
A. Yes.

HEARING OFFICER:

The hearing is now closed.

I certify the foregoing to be a true and correct transcript of the testimony taken by me in the above case.

Mildred Herscher
Mildred Herscher, Stenographer

I certify that, to the best of my knowledge and belief, this record is a true report of everything that was stated during the course of the respondent's hearing, including oaths administered and rulings made on objections, except statements made off the record.

Willard S. Layton
Willard S. Layton, Hearing Officer

EXHIBITS

EXHIBIT R-1: Application for suspension of deportation..... page R-2
EXHIBIT R-2: General information form..... page R-2
EXHIBIT R-3: Affidavit of witness..... page R-3
EXHIBIT R-4: Affidavit of witness..... page R-3
EXHIBIT R-5: Affidavit of witness as to employment..... page R-3
EXHIBIT R-6: Letter from Chief of Police, Seabrook, N. J. page R-3
EXHIBIT R-7: Letter from Director of Community House, Seabrook.... page R-3
EXHIBIT R-8: Report of investigation..... page R-3

Peruvian File
Dorm. 3 - 134
Seabrook, N.J.
Feb. 4, 1952

Wayne M. Collins
Attorney at Law
Wells Tower, 220 Bush St.
San Francisco, Calif.

Dear Sir:

May I express my hearty
gratitude to your kind and
sincere efforts in enabling
me to go through my hearing
of February 1, 1952, without
any trouble.

My hearing or inquiry papers
will be sent to you by the
Immigration Authorities of Phila-
delphia.

Much obliged to you for
your kindness.

Yours very truly,
Iatou Miyamoto

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Philadelphia, Pa.

File: A-5967435

In re: SATORU MIYAMOTO

IN DEPORTATION PROCEEDINGS

IN BEHALF OF RESPONDENT: Wayne M. Collins, Esq.
220 Bush Street
San Francisco 4, Cal.

CHARGES:

Warrant: Act of 1924 - No immigration visa
Act of 1918 - No passport
Act of 1924 - Ineligible to citizenship

Lodged: None

APPLICATION: Suspension of deportation or, in the alternative, voluntary departure in lieu of deportation

DETENTION STATUS: Released on own recognizance

DISCUSSION: The record relates to a 54-year-old male, a native and citizen of Japan, of the Japanese race, who last entered the United States at the port of San Pedro, California, on February 6, 1943. He was brought to this country from Peru for internment.

On June 2, 1950, the Board of Immigration Appeals ordered that the hearing be reopened for the reception of such application for relief from deportation as may be made and for further appropriate proceedings in connection therewith.

On February 1, 1952, the hearing was reopened as directed, at which time no new evidence was developed bearing on the question of deportability. Upon consideration of all the evidence of record, the findings of fact and conclusions of law as to deportability proposed by the Presiding Inspector and served upon the alien's counsel on April 11, 1946, are hereby adopted except for Conclusion of Law No. 4, which is being eliminated.

The respondent has testified that he has no one in this country dependent upon him for support. He is married to a native citizen of Peru and has two minor children who were also born in that country. His family is now residing in Peru. He is presently employed as a laborer at Seabrook Farms, Seabrook, New Jersey, and earns \$50 a week. His assets consist of \$1,500 and personal effects valued at \$500. Records of employment and affidavits of witnesses show conclusively that the respondent has resided in the

United States in excess of seven years and was so residing on July 1, 1948. It is established that he has met the residence requirements for suspension of deportation under Section 19(c)(2)(b) of the Immigration Act of 1917. The record also clearly establishes that he has been a person of good moral character for the past five years. On the record, the alien has superficially established his eligibility for suspension of deportation. It has been the policy of this Service, however, to deny suspension of deportation to aliens brought into the United States solely for reasons connected with the war.

Respondent has expressed a desire to return to Peru for the purpose of joining his wife and children and would depart at his own expense if granted the privilege of voluntary departure. He is not, under any circumstances, willing to go to Japan.

The facts and circumstances in this case do not warrant the exercise of any discretionary relief.

ORDER: IT IS ORDERED that the alien be deported from the United States pursuant to law on the charges stated in the warrant of arrest.


Willard S. Layton
Hearing Officer

May 16, 1952

SMP/cc

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

C
O
P
Y

Address Official Communications to

American Embassy
Lima, May 29, 1952

Mr. Wayne M. Collins, Attorney at Law
Mills Tower, 220 Bush Street,
San Francisco 4, California

Dear Mr. Collins:

I wish to acknowledge receipt of your letter of May 19, 1952 referring once more to the return to Peru of a number of Peruvian-Japanese who were deported to the United States in 1943 and 1944.

Correspondence continues between this Embassy and the Peruvian Ministry of Foreign Affairs on the subject, but there has so far been no official change in the Peruvian position. When the matter was taken up orally with the Foreign Ministry this week, however, there was some indication that it intended to restudy the problem and to formulate a set of conditions under which certain Peruvian-Japanese would be enabled to obtain an entry permit. That indicates possible progress towards a solution of the problem.

Please be assured that the Embassy will continue to devote attention to this matter and will bear in mind the information contained in your letter.

Sincerely yours,

/s/ Harold H. Tittmann

4 - 95-G
3-1-51

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Lafayette Building, Fifth & Chestnut Streets
Philadelphia 6, Pennsylvania

REGISTERED MAIL
RETURN RECEIPT REQUESTED

Exp.
File A-5,967,435
Date June 4, 1952

Wayne M. Collins, Esquire
1701 Mills Tower
220 Bush Street
San Francisco 4, California

Dear Sir:

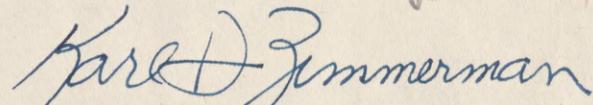
Re: SATORU MIYAMOTO

Enclosed is a copy of decision of the hearing officer in the deportation proceeding in the case of the above-named person. Also enclosed is a copy of the transcript of testimony adduced at the hearing, for which you are requested to execute and promptly return the attached receipt.

You are allowed **five (5)** days (excluding Saturdays, Sundays and holidays) after receipt of this notice within which to submit to this office exceptions to the hearing officer's decision, and if desired, supporting argument or brief, for consideration by the Commissioner of Immigration and Naturalization; or to file a written waiver of the right specified above. When replying, advise whether oral argument before the Commissioner in Washington, D. C., is desired.

This is a final decision unless exceptions to the hearing officer's decision are filed in conformity with the preceding paragraph of this letter.

Very truly yours,

Recd. June 9, 1952

Karl I. Zimmerman
District Director

Enclosure

June 10, 1952

District Director
Immigration and Naturalization Service
Lafayette Building, Fifth & Chestnut Sts.
Philadelphia 6, Pennsylvania

Dear Sir:

Re: Satoru Miyamoto; File:A-5,967,435

Enclosed find exceptions and objections to recommendation of the hearing officer in the above-entitled matter executed in triplicate original.

Oral argument before the Commissioner is not desired.

Very truly yours,

BEFORE THE COMMISSIONER OF IMMIGRATION

In the Matter of

SATORU MIYAMOTO

A - 5967435

EXCEPTIONS AND OBJECTIONS TO RECOMMENDATION

The hearing officer, Willard S. Layton, recommended that the alien Satoru Miyamoto, a native of Japan and resident of Peru, be deported on the charges specified in the warrant of arrest.

Because the Peruvian Government thus far has not granted the appellant authority to return to Peru, in which country he had acquired residence and where his wife and children, all citizens of Peru, reside, his efforts to return there have not yet proved successful. His counsel and the State Department still are endeavoring to persuade the Peruvian authorities to allow his entry to Peru. Of the causes and reasons connected with his failure to depart from the U.S. the Commissioner had actual knowledge and takes administrative notice. Annexed hereto is a copy of the letter dated May 29, 1952, from Hon. Harold H. Tittman, our Ambassador to Peru, demonstrating that our Embassy at Lima, Peru, is endeavoring to obtain the consent of the Peruvian Government to the repatriation of the respondent and similarly situated Peruvian-Japanese whom it and our own Government long have abused. The original of said letter has been forwarded to the Commissioner of Immigration for examination.

The respondent was brought to this country and interned on February 6, 1943, under an asserted claim that he was subject to the provisions of the Alien Enemy Act. On August 16, 1946, he was released from the Provisions of the Alien Enemy Act and his detention under authority of the Act thereupon ceased. Of these

1 facts the Commissioner, this Board and the Attorney General have
2 actual knowledge and take executive notice.

3 We submit that the finding and conclusion that the alien
4 cannot meet the residence requirements for suspension or deporta-
5 tion under Title 8 USCA, Sec. 155 (c) , is contrary to law, to
6 fact and to the evidence.

7 The seven (7) year period of residence required by Title 8
8 USCA, Sec. 155 (c) for suspension of deportation is satisfied by
9 the elapse of time from February 6, 1943, when he arrived here or
10 is, at least, partially satisfied by the elapse of time from
11 August 16, 1946, when he was released from internment and from
12 any claim of being subject to the provisions of the Alien Enemy
13 Act.

14 We submit that there is no evidence in the record that the
15 alien was brought to this country for any legitimate war connected
16 reason. We contend that the government is estopped to deny that
17 his entry was lawful and likewise is estopped to assert that his
18 presence in this country is unlawful. It is nonsense for the
19 government to assert that he did not present an unexpired passport
20 or other travel document at the time of entry and that he was not
21 in possession of a valid immigration visa. The secret orders of
22 the Peruvian government which authorized this cruel uprooting of
23 the respondent and similarly situated Peruvian-Japanese constitute
24 a blanket visa to the respondent and those other Peruvian-Japanese
25 who forcibly were brought to this country. The concealed orders
26 of the U.S. Government, under which he and they were banished
27 from Peru and transported to the U.S., constitute blanket admission
28 credentials.

29 We submit that the respondent was brought involuntarily to
30 this country for political reasons only. Because he is, in fact,
31 an involuntary refugee from Peru, he is entitled to asylum in
32 this country.

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

June 24, 1952

Mr. Satoru Miyamoto
Seabrook Farms,
Bridgeton, N.J.

Dear Mr. Miyamoto:

Enclosed find a copy of the "Exceptions
to Recommendation" I have filed on your behalf
with the District Director, USIA/NE and the
Commissioner of Immigration in your case.

This copy is forwarded to you simply to
keep you informed from time to time of the
progress of your case and of your status in
this country.

Very truly yours,

Encs.

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

June 25, 1952

Mr. Satoru Miyamoto
Seabrook Farms,
Bridgeton, N.J.

Dear Mr. Miyamoto:

Enclosed find a copy of the brief I have filed on your behalf with the "Board Of Immigration Appeals" in the appeal I took on your behalf to that Board from the adverse recommendations of the hearing officer and the Commissioner of Immigration in your case.

This copy is forwarded to you simply to keep you informed from time to time of the progress of the case and of your status in this country.

Very truly yours,

Encs.

ADJ-3045
(4-28-52)

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

COPY FOR ATTORNEY
OR REPRESENTATIVE

JUN 30 1952

File: A-5967435 - El Paso (1500/15119)

No Appeal

In re: SATORU MIYAMOTO

IN DEPORTATION PROCEEDINGS

IN BEHALF OF RESPONDENT: Wayne M. Collins, Esquire
220 Bush Street
San Francisco, California

CHARGES:

Warrant: Act of 1924 - No immigration visa
Act of 1918 - No passport
Act of 1924 - Ineligible to citizenship

Lodged: None

APPLICATION: Suspension of deportation or voluntary departure

DETENTION STATUS: Released on own recognizance

DISCUSSION: Upon consideration of the entire record, including the exceptions taken, the findings relating to deportability made by the officer conducting the hearing are hereby adopted.

The facts and circumstances in this case do not warrant the exercise of any discretionary relief.

ORDER: It is ordered that the alien be deported from the United States, pursuant to law, on the charge contained in the warrant of arrest.

IT IS FURTHER ORDERED that the case be certified to the Board of Immigration Appeals for final decision in accordance with 8 C.F.R. 90.3(b).

ASSISTANT COMMISSIONER
ADJUDICATIONS DIVISION

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
LAFAYETTE BUILDING
5TH & CHESTNUT STS.
PHILADELPHIA 6, PA.

RPA 11/82

PLEASE REFER TO THIS FILE NUMBER

REGISTERED MAIL
RETURN RECEIPT REQUESTED

August 6, 1952

Exp. A-5,967,435

Wayne M. Collins, Esquire
220 Bush Street
San Francisco 4, California

Dear Mr. Collins:

The attached is a copy of the decision and order of the Commissioner entered in the case of SATORU MIYAMOTO which has been certified to the Board of Immigration Appeals for final decision in accordance with 8 CFR 90.3(b).

You are advised that argument, brief, or request for oral argument must be addressed directly to the Board of Immigration Appeals, Department of Justice, Washington, D. C., within 15 days (not including Saturdays, Sundays and holidays) after receipt of this notice.

Very truly yours,

Karl I. Zimmerman
Karl I. Zimmerman
District Director

Enclosure

August 12, 1952

District Director
U.S. Immigration and Naturalization
Service
Lafayette Building, 5th & Chestnut Sts.
Philadelphia 6, Pennsylvania

Dear Sir:

In re: Satoru Miyamoto
No. A-5967435, El Paso 1500-15119

Enclosed find duplicate original Briefs in
the above entitled matter.

An original Brief has been forwarded this
date to the Board of Immigration Appeals.

Very truly yours,

August 12, 1952

Board of Immigration Appeals
Department of Justice
Washington 25, D.C.

Gentlemen:

In re: Satoru Miyamoto
No. A-5967435, El Paso 1500-15119

Enclosed find original Brief for appellant
in the above entitled matter which has been certi-
fied to your decision.

Duplicate original copies of said Brief have
been forwarded to the District Director, U.S.
Immigration and Naturalization Service at
Philadelphia.

Very truly yours,

1 in Peru. He desires to be repatriated to Peru and there be united
2 with his family. On August 16, 1946, he was released from the
3 Provisions of the Alien Enemy Act and his detention under authority
4 of the Act thereupon ceased. Of these facts the Commissioner,
5 this Board and the Attorney General have actual knowledge and
6 take executive notice.

7 We submit that the finding and conclusion that the appellant
8 cannot meet the residence requirement for suspension of deporta-
9 tion under Title 8 USCA, Sec. 155 (c), is contrary to law, to
10 fact and to the evidence.

11 The seven (7) year period of residence required by Title 8
12 USCA, Sec. 155 (c) for suspension of deportation is satisfied by
13 the elapse of time from February 6, 1943, when he arrived here
14 or is, at least, partially satisfied by the elpase of time from
15 August 16, 1946, when he was released from internment and from
16 any claim of being subject to the provisions of the Alien Enemy
17 Act.

18 We submit that there is no evidence in the record that the
19 appellant was brought to this country for any legitimate war
20 connected reason. We contend that the government is estopped to
21 deny that his entry was lawful and likewise in estopped to assert
22 that his presence in this country is unlawful. It is nonsense
23 for the government to assert that he did not present unexpired
24 passport or other travel document at the time of entry and that
25 he was not in possession of a valid immigration visa. The secret
26 orders of the Peruvian government which authorized this cruel
27 uprooting of the alien and similarly situated Peruvian-Japanese
28 constitute a blanket visa to him and those other Peruvian-Japanese
29 who forcibly were brought to this country. The concealed orders
30 of the U.S. Government, under which they were banished from Peru
31 and transported to the U.S., constitute blanket admission cre-
32 dentials.

1 We submit that the appellant was brought involuntarily to
2 this country for political reasons only. Because he is, in fact,
3 an involuntary refugee from Peru, he is entitled to asylum in
4 this country.

5 Our Ambassador to Peru and our State Department still are
6 trying to prevail upon the Peruvian authorities to re-admit the
7 appellant and similarly situated members of the Peruvian-Japanese
8 group here to Peru. So long as those negotiations are pending
9 we suggest that no order of deportation should issue against him.

10 For the foregoing reasons we urge that the finding of
11 deportability be set aside and that the aliens application for
12 suspension of deportation be granted, and that if this be denied
13 that he be given a period of six month's time to persuade the
14 Peruvian authorities to allow his re-entry to Peru.

15 August 12, 1952.

16 Respectfully submitted,

17
18 _____
19 Wayne M. Collins
20 1701 Mills Tower
21 San Francisco 4, Calif.

22 Attorney for Alien Appellant.
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WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

August 12, 1952

Mr. Satoru Miyamoto
Seabrook Farms
Bridgeton, New Jersey

Perm. 3

Dear Mr. Miyamoto:

Enclosed find a copy of the brief I have filed on your behalf with the "Board Of Immigration Appeals" in the appeal I took on your behalf to that Board from the adverse recommendations of the hearing officer and the Commissioner of Immigration in your case.

This copy is forwarded to you simply to keep you informed from time to time of the progress of the case and of your status in this country.

Very truly yours,

Encs.

FRONT MATTER
DELETED CONTENT
PAGE CONTENT

JUL 9 - 1953

A-5967435 - El Paso (1500/15119)

SATORU MIYAMOTO

IN DEPORTATION PROCEEDINGS

IN BEHALF OF RESPONDENT: Wayne M. Collins, Esquire
1701 Mills Tower
San Francisco 4, California

CHARGES:

Warrant: Act of 1924 - No immigration visa
Act of 1918 - No passport
Act of 1924 - Ineligible to citizenship

Lodged: None

APPLICATION: Suspension of deportation - seven years residence

DETENTION STATUS: Released on own recognizance

DISCUSSION AS TO DEPORTABILITY: Respondent is 56 years of age, male, a native and citizen of Japan, of the Japanese race. His only entry into the United States occurred on February 6, 1943, at which time he was brought to this country from Peru, with a group of other persons similarly situated, by the United States Army for internment during World War II.

Respondent is no longer deportable as a person ineligible to citizenship, and the third warrant charge is inapplicable. Prior to amendment by the Act of July 1, 1948 (Pub. Law 863, 80th Cong.) a person of the Japanese race was not eligible for suspension of deportation, because he was racially ineligible for naturalization in the United States. By that Act an alien who was ineligible for naturalization solely by reason of his race became eligible for suspension of deportation. Further, the Immigration and Nationality Act of 1952 (Pub. Law 414, 82d Cong.), Section 311, provides that the right of a person to become a naturalized citizen of the United States shall not be denied or abridged because of race. Respondent is deportable on the documentary grounds only.

DISCUSSION AS TO ELIGIBILITY FOR SUSPENSION OF DEPORTATION: Respondent has applied for the privilege of suspension of deportation on the ground that he has been in the United States for seven years and was resident in the United States on July 1, 1948. He has been found technically eligible for suspension on this ground. Respondent has no close family ties in the United States. He has a wife and two children in Peru. He states that he migrated from Japan to Peru in 1930 and that he was the owner of a garage in that country. After two and a half years in detention respondent was permitted to leave the internment camps in which he had been detained and was paroled to the Seabrook Farms Company, Bridgeton, New Jersey. At the time of his hearing in 1952 he testified that he had approximately \$2000 in cash and other assets. He testified that since he had been employed he had been sending money to his family in Peru. The Hearing Officer stated that the record clearly establishes that respondent has been a person of good moral character for the past five years.

Until recently it was the policy of this Department to deny suspension of deportation to aliens brought into the United States solely for reasons connected with the war. Many of these persons, after a period of internment, were permitted to depart from the detention centers, and proceedings against them as alien enemies were terminated after favorable findings were made by the Alien Enemy Division of the Department of Justice. They were permitted to obtain employment, and they lived and worked in the United States, subject to the usual restrictions on parolees. After the termination of World War II some of these persons desired to remain in the United States and applied for suspension of deportation. This relief was denied them as a matter of policy. However, in Matter of W., Int. Dec. 225 (BIA, May 31, 1950, A. G. May 6, 1952) the Acting Attorney General reviewed the policy and concluded that, in that case at least, deportation of the subject alien would bring about undue hardship. Accordingly, he reversed this Board and ordered the grant of suspension of deportation to E.W., the alien involved in that proceeding. On the authority of that case it has become possible for this Board now to grant suspension of deportation to the Peruvian Japanese in the group of cases now before us.

We are informed that the Government of Peru has continued to decline to permit respondent and other persons similarly situated to reenter that country. They cannot remain in the United States permanently as illegally resident aliens. Having left Japan many years ago, none of them desires to return to that country. The most equitable solution to this problem within the power of this Government is to permit respondent to remain in the United States by granting him suspension of deportation.

It is our opinion that because respondent has been in the United States for seven years and was residing in this country on July 1, 1948, and because he has an otherwise good record, and because he is unable to return to the country from which he was brought for internment, respondent should be granted suspension of deportation.

ORDER: It is ordered that deportation of the alien be suspended under the provisions of Section 19(c)(2) of the Immigration Act of 1917, as amended. ✓

IT IS FURTHER ORDERED that the order entered by the Acting Assistant Commissioner on June 30, 1952 be and the same is hereby withdrawn.

IT IS FURTHER ORDERED that if during the session of the Congress at which this case is reported, or prior to the close of the session of the Congress next following the session at which this case is reported, the Congress passes a concurrent resolution stating in substance that it favors the suspension of such deportation, the proceedings be canceled upon the payment of the required fee and that the alien be charged to the quota of Japan.

Chairman

U. S. DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS
WASHINGTON

ADDRESS REPLY TO BOARD OF
IMMIGRATION APPEALS AND
REFER TO FILE NUMBER

5967435
Miyamoto

July 9, 1953

*Recd 7/13/53
W*

Wayne M. Collins, Esquire
1701 Mills Tower,
San Francisco 4, California

Reference is made to your interest in the above case.

For your information, there is enclosed herewith copy of the
decision and order of the Board of Immigration Appeals.

Sincerely yours,

Thos. G. Finucane

Thos. G. Finucane
Chairman

July 14, 1953

Mr. Satoru Miyamoto
Seabrook Farms
Bridgeton, New Jersey

Dear Mr. Miyamoto:

I wish to inform you that I have received a notice from the Board of Immigration Appeals dated July 9, 1953, and a copy of its decision of July 9, 1953, informing me that the appeal I took on your behalf has been sustained. This means that the unfavorable decision heretofore rendered against you has been set aside.

As a result of the favorable decision of the Board of Immigration Appeals, your case will be referred to Congress for its approval. If Congress approves your application for suspension of deportation, you will be granted permanent residence status in the United States. The Immigration Service in due course will notify you if Congress approves your application for suspension of deportation. If it refuses it, other action will have to be taken on your behalf.

Very truly yours,

September 1, 1953

Mr. Wayne M. Collins
220 Bush street
San Francisco 4, Calif.

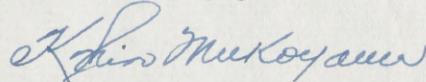
Satoru Miyamoto

Dear Mr. Collins:

Mr. Satoru Miyamoto came to me asking to write to you about his deportation to Japan. He claims that his age will not allow him to continue, and, to make matters worse, he has not heard from his wife in Peru more than two years. He feels not only anxiety, but his body going ran down in these months and feels that he has but few years left to live. So, he decided to go back to his relative in Japan.

In these circumstances, I would be grateful if you would make your request to Immigration Service to carry into effect of his deportation to Japan at government expenses.

Very truly yours



Koshiro Mukoyama
1612 Third street
Seabrook, New Jersey

1 Wayne M. Collins
2 Attorney at Law
3 1701 Mills Tower
4 San Francisco 4, Calif.

October ____, 1953.

5 To: Board of Immigration Appeals,
6 Washington, D. C.

7 and

8 To: District Director,
9 U.S. Immigration Service,
10 Lafayette Building,
11 5th and Chestnut Streets,
12 Philadelphia 6, Pa.

13 In re: SATORU MIYAMOTO, File A-5967435,
14 (El Paso 1500/15119)

15 Gentlemen:

16 I, the undersigned Satoru Miyamoto, whose address is care
17 of Seabrook Farms, Bridgeton, New Jersey, the alien above-named,
18 hereby dismiss my application for suspension of deportation
19 heretofore made and granted by the Board of Immigration Appeals
20 on July 9, 1953, and request that I be deported to Japan at the
21 first opportunity.

22 My reasons for dismissing said cause and making this request
23 for deportation are my age, condition of health and inability to
24 learn of the present whereabouts and conditions of my wife in
25 Peru from whom I have had no communication for a period of time
26 in excess of two years.

27 Very truly yours,

28 Satoru Miyamoto.

October 7, 1953

Mr. Koshiro Mukoyama
1612 Third Avenue
Seabrook Farms, N. J.

Mr. Satoru Miyamoto
c/o Seabrook Farms,
Bridgeton, N. J.

Gentlemen:

I have received Mr. Mukoyama's letter of September 1, 1953, informing me that Mr. Satoru Miyamoto had decided to return to Japan.

On July 14th I wrote Mr. Miyamoto that the Board of Immigration Appeals had rendered a decision granting him a suspension of deportation on July 9, 1953. Thereafter his application for suspension of deportation was sent to Congress for approval. I have not yet heard whether it has been approved by Congress. If it has been approved by Congress or if it soon would be Mr. Miyamoto could then obtain a re-entry permit and then go to Japan at his own expense and thereafter return to the U.S. if he wished to do so. He then also could apply to have his wife brought to the U.S. from Peru as a nonquota immigrant.

If Mr. Miyamoto has not heard from his wife in Peru I suggest that he or someone on his behalf write to a neighbor in Peru for information concerning her.

However, if Mr. Miyamoto insists on being deported to Japan at the expense of our government I suggest that he date and sign six of the enclosed letter I have prepared and addressed to the Board of Immigration Appeals and to the Immigration Service at Philadelphia and thereupon mail three of them to the Board of Immigration Appeals and three of them to the District Director of the U.S. Immigration Service at Philadelphia. (I am enclosing envelopes for that purpose.)

Very truly yours,

November 11, 1953

Wayne M. Collins, Esq.
Mills Tower
220 Bush street
San Francisco 4, Calif.

Satoru Miyamoto

Dear Mr. Collins:

I have received your letter of October 7, 1953 and I wish thank you for your kind suggestion concerning to Mr. Miyamoto's determination.

Without loss of time, I talked with Mr. Miyamoto explaining the contents of your letter and wrote on his behalf a letter to his wife in Peru requesting her to give me her definite reply by return mail. Unfortunately I have heard nothing from her.

As the things have come to such pass, I must leave him to do as he pleases. Accordingly, I mailed the application in triplicate (signed by Mr. Miyamoto on October 17, 1953) which you kindly prepared for him, to the Board of Immigration Appeals as well as to Immigration and Naturalization Service at Philadelphia.

Very truly yours

Koshiro Mukoyama

Koshiro Mukoyama
1612 Third ave.
Seabrook, N.J.

U. S. DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS

NOV 16 1953

IN THE MATTER
OF
SATORU MIYAMOTO

File: A-5967435 - Philadelphia

IN DEPORTATION PROCEEDINGS

IN BEHALF OF RESPONDENT: Wayne M. Collins, Esquire
1701 Mills Tower
San Francisco 4, California

This case comes forward pursuant to a motion by the respondent dated October 17, 1953, requesting the withdrawal of the order entered by this Board on July 9, 1953 and that an order be entered directing that he be deported to Japan. When this case was last before us on July 9, 1953, we entered an order directing the withdrawal of the order entered by the Acting Assistant Commissioner on June 30, 1952 and further directed that the respondent's deportation be suspended under the provisions of section 19(c)(2) of the Immigration Act of 1917, as amended.

The respondent by brief on motion asserted that his request that he be deported to Japan is based on his advanced age, condition of health and his inability to learn the present whereabouts and condition of his wife in Peru, whom he has not been in communication with for a period in excess of two years. The respondent's request is hereby granted. Accordingly, the following order will be entered.

ORDER: It is ordered that the order of this Board dated July 9, 1953 be withdrawn.

IT IS FURTHER ORDERED that the alien be deported from the United States pursuant to law on the first two charges stated in the warrant of arrest dated March 31, 1946.

Chairman

Recd 11/23/53

U. S. DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS
WASHINGTON

ADDRESS REPLY TO BOARD OF
IMMIGRATION APPEALS AND
REFER TO FILE NUMBER

A-5967435
Miyamoto

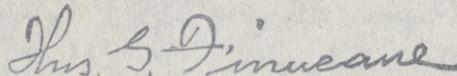
November 18, 1953

Wayne M. Collins, Esquire
1701 Mills Tower
San Francisco 4, California

Reference is made to your interest in the above case.

For your information, there is enclosed herewith copy of the
decision and order of the Board of Immigration Appeals.

Sincerely yours,



Thos. G. Finucane
Chairman

C
O
P
Y

November 23, 1953

Mr. Satoru Miyamoto
c/o Seabrook Farms
Bridgeton, New Jersey

Dear Mr. Miyamoto:

Pursuant to your request the Board of
Immigration Appeals on November 16, 1953,
entered an order in your case to the effect
that you be deported to Japan.

Very truly yours,

Copy to:
Mr. Koshiro Mukoyama

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
PHILADELPHIA, Pa.,

File No. A5 967 435

Date: November 27, 1953

Rec'd 12/3/53

Mr. Satoru Miyamoto,
Dormitory 3-134
Seabrook Farms,
Bridgeton, N. J.

Dear Sir:

Attached is a copy of the final order of deportation entered in your case. Arrangements to effect your deportation pursuant to such order are being made and you will be further notified when they have been completed.

You are further advised that if you are deported or if you depart under an order of deportation you will not be permitted to enter the United States unless prior to your embarkation at a place outside the United States or your application for admission from foreign contiguous territory, the Attorney General has expressly consented to your re-applying for admission. If you enter the United States at any time after deportation or departure under an order of deportation without receiving permission from the Attorney General, you will be guilty of a felony and upon conviction be liable to imprisonment of not more than two years or a fine of not more than \$1,000, or both such fine and imprisonment.

Please forward to this office as promptly as possible four (4) prints of your photograph, about 2" x 2", front view, nohat; passport style. Upon receipt of the photographs, we will apply for the passport which is now necessary for your entrance into Japan. However, we have experienced difficulty and even refusal in similar cases; and we suggest that you also write to Hisanaga Shimadzu, Consul General for Japan, 350-5th Ave., New York City requesting issuance of a passport.

Very truly yours,

Karl I. Zimmerman

Karl I. Zimmerman
District Director.

~~REGISTERED MAIL~~

✓ CC- Mr. Wayne M. Collins, Attorney at Law,
1701 Mills Tower Building,
San Francisco 4, California.

U. S. DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
LAFAYETTE BUILDING, 5th & CHESTNUT STS.
PHILADELPHIA 6, PA.

File

February 11, 1954

A5 967 435 ID

[Handwritten signature]

Mr. Satoru Miyamoto,
Dormitory 3-154
Seabrook Farms,
Bridgeton, N. J.

Dear Sir:

We refer to our letter of February 3, requesting information regarding your baggage, and urge you to furnish the information as promptly as possible, since there is a sailing from San Francisco on March 12, 1954, which we hope to use for your transportation to Japan.

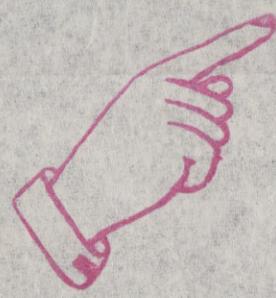
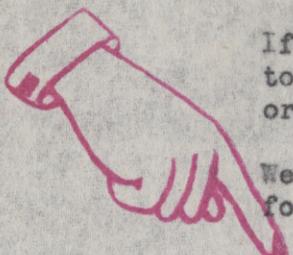
If you have baggage in excess of 40 pounds, same must be forwarded to San Francisco by railway Express no later than March 1st, in order to be sure that it will reach San Francisco in time.

We will notify you of the exact date on which you will be sent forward to San Francisco.

A copy of this letter is being sent to your counsel, Mr. Wayne Collins, Attorney at Law, 1701 Mills Tower Building, 220 Bush Street, San Francisco 4, California.

Very truly yours,

Karl I. Zimmerman
District Director



F. H.

March 15, 1954

Mr. Wayne M. Collins
220 Bush street
San Francisco 4, Calif.

Dear Mr. Collins:

Satoru Miyamoto

I am the position to report you that Mr. Satoru Miyamoto has departed on March 8, 1954 to New York from where fly to San Francisco to catch a ship to Japan.

By the way, I collected the balance of your fee allotted him which amount I will be glad to remit you together with another collection.

Very truly yours

Koshiro Mukoyama

Koshiro Mukoyama
1612 Third Avenue
Seabrook, New Jersey

BEFORE THE BOARD OF IMMIGRATION APPEALS
BEFORE THE COMMISSIONER OF IMMIGRATION

In the Matter of)
SATORU MIYAMOTO) No. _____
-----)

APPLICATION TO REOPEN CAUSE FOR A SUSPENSION OF DEPORTATION

----- SATORU MIYAMOTO ----- hereby requests
that the deportation proceeding heretofore instituted against him
be reopened for the purpose of enabling him to apply for a sus-
pension of deportation under the provisions of Title 8 USCA, Sec. 115
(c) effective as at July 1, 1948, (Public Law No. 863), on the ground
that he is and has been, for a period of time in excess of five
years, a person of good moral character and that he has resided
continuously in the United States for seven years or more and now so
resides and was so residing on July 1, 1948, the effective date of said
Act.

WHEREFORE, applicant requests that said cause be reopened for the
aforesaid purposes to enable applicant to introduce oral and documentary
evidence of his eligibility to apply for and to receive the benefits
afforded by the provisions of Title 8 USCA, Sec. 155 (c), and regula-
tions thereunder and for the grant of said application for suspension
of deportation.

Wayne M. Collins
1701 Mills Tower
San Francisco 4, Calif.

Attorney for Applicant

AFFIDAVIT OF MERITS

STATE OF CALIFORNIA,)
CITY AND COUNTY OF SAN FRANCISCO.) SS.
-----)

Wayne M. Collins of said City and County and State, being first duly sworn, deposes and says: that he is the attorney for _____, the applicant in the foregoing application names; that he is informed and believes and therefore alleges upon such information and belief that the applicant is and has been a person of good moral character for a period of time in excess of five years and has resided continuously in the United States for seven years or more and now so resides and was so residing on July 1, 1948, when Title 8, USCA, Sec. 155 (c), as amended, became effective; that applicant desires to have _____ deportation proceeding reopened to enable _____ to apply for a suspension of deportation under the provisions of Title 8 USCA, Sec. 155 (c), by reason thereof, and is ready, willing and able to submit at such reopened hearing oral and documentary evidence demonstrating _____ said eligibility to apply for and to be granted such suspension of deportation.

Wayne M. Collins
1701 Mills Tower
San Francisco 4, Calif.

Attorney for Applicant.

Subscribed and sworn to before me
this _____ day of _____, 195__.

Notary Public in and for the City and
County of San Francisco, State of California.