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MATSUDA, TOMOJI

1949-1952

78/177

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October 14, 1949

Mr. Tomoji Matsuda  
3500 Larimer Street  
Denver 5, Colorado

Dear Mr. Matsuda:

If your wife or any of your children are United States born citizens, you are eligible to apply for a suspension of deportation on such a ground.

The records that were sent to me from Seabrook Farms show that one member of your family is a U. S. citizen but the name of said person and the age and whether or not she is your wife or a U. S. born child has not been supplied to me. I would thank you to inform me of the name of the U. S. member of your family and also whether or not you wish to remain in this country permanently.

Very truly yours,

October 18th, 1949  
Denver, Colorado

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

Dear Mr. Collins:

In reply to your letter of October 14, I wish to inform you that my wife, Tomiea, is a United States citizen. Her maiden name was Tomiea Murakami, born Dec. 25, 1926 in the state of California.

It is my wish to stay in this country permanently.

Sincerely yours,

*Tomioji Matsuda*

April 24th, 1950  
238 E. 2nd St.  
Los Angeles, Calif.

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

Dear Mr. Collins:

In reference to your letter of April 14, as to whether my wife is a citizen of the United States or a renunciant. My wife, Temiea, is a citizen of the United States.

My new address is 238 E. 2nd St, Los Angeles, Calif.

Very truly yours,  
*Tomoji Matsuda*

April 14, 1950

Mr. Tomoji Matsuda  
3500 Larimer St.  
Denver, Colorado

Dear Mr. Matsuda:

In connection with your application for suspension of deportation, please inform me by return mail whether or not your wife, Mrs. Tomiea Murakami Matsuda, is a citizen of the United States or a renunciant.

Very truly yours,

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

May 10, 1950

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

Gentlemen:

In re: Tomoji Matsuda  
Los Angeles, Calif.

Enclosed find appearance form and three original application forms to reopen cause for the purpose of enabling Tomoji Matsuda, Peruvian-Japanese, to apply for a suspension of deportation, together with accompanying affidavit of merits. An original application form is also being sent to the District Director, USI&NS, Los Angeles, California, inasmuch as Mr. Matsuda now lives at 238 E. 2nd St., Los Angeles.

If your Board has not yet acquired jurisdiction in the cause, I would be grateful were you to forward the enclosed application for suspension of deportation to the Commissioner of Immigration at Washington, D.C., before whom the cause necessarily must be pending if not before your Board.

Very truly yours,

Copy to:  
District Director  
USI&NS, Los Angeles, Calif.

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BEFORE THE BOARD OF IMMIGRATION APPEALS  
BEFORE THE COMMISSIONER OF IMMIGRATION

In the Matter of )  
TOMOJI MATSUDA ) No.  
----- )

APPLICATION TO REOPEN CAUSE FOR A SUSPENSION OF DEPORTATION

Tomoji Matsuda hereby requests that the deportation proceeding heretofore instituted against him be reopened for the purpose of enabling him to apply for a suspension of deportation under the provisions of Title 8 USCA, Sec. 155 (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; that he is the husband of Tomiea Matsuda, nee Murakami, a native born citizen resident of the United States, and that his deportation would result in serious economic detriment to his said dependent wife.

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 regulations thereunder and for the grant of said application for suspension of deportation.

\_\_\_\_\_  
Wayne M. Collins  
1701 Mills Tower  
San Francisco, Calif.  
Attorney for Applicant

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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 Tomoji Matsuda, the applicant in the foregoing application named; that he was lawfully united in marriage to Tomiea Matsuda, nee Murakami, a native born U. S. resident citizen; that the deportation of applicant would result in serious economic detriment to his said wife; that applicant desires to have his deportation proceeding reopened to enable him 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 his said eligibility to apply for and to be granted such suspension of deportation.

\_\_\_\_\_  
Wayne M. Collins

Subscribed and sworn to before me  
this \_\_\_\_ day of May, 1950.

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

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON 25, D. C.

PLEASE ADDRESS REPLY TO

May 7, 1951

AND REFER TO THIS FILE NO.

A-6162247 WU

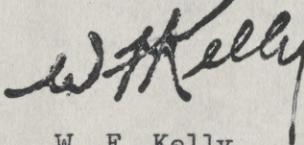
Y. R. Hiraoka, Esquire  
1435 Fresno Street  
Fresno, California

My dear Mr. Hiraoka:

Reference is made to your interest in the case of TOMIJI MATSUDA.

For your information there is attached a copy of the order entered  
in the case on May 2, 1951.

Sincerely yours



W. F. Kelly  
Assistant Commissioner  
Enforcement Division

IE-5  
(11-8-49)

File

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

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

May 17, 1950

In re: Tomoji Matsuda  
File No. 6162247  
ALM:rmd

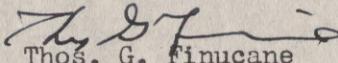
Wayne M. Collins, Esquire  
Mills Tower, 220 Bush Street,  
San Francisco, California.

My dear Mr. Collins:

This will acknowledge receipt of your communication dated May 10, 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  
REFERS TO FILE NUMBER

*Tomoji* 6162247  
Matsuda

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

JUN 2 - 1950

IN THE MATTER  
of  
TOMOJI MATSUDA

File: A-6162247

IN DEPORTATION PROCEEDINGS

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

CHARGES:

Warrant: Act of 1924 - No immigration visa  
Act of 1918 - No passport  
Lodged: None

The respondent, a native and citizen of Japan, male, 33 years of age, was brought to the United States from Peru on July 2, 1944, with his mother, Soma Eto, 56 years of age (file 6162249), and brother, Yoshimitsu Eto, 19 years old (file 6162248), and sister, Nobuko Eto, 12 years old (file 6162246), the latter two natives of Peru, for the purpose of internment. The cases were last considered on February 18, 1947, when it was ordered that each of them be deported to Peru, but that execution of the warrants of deportation be deferred pending the outcome of litigation involving the same subject matter.

The case of the respondent is now brought before us by motion requesting reopening in order that he may apply for suspension of deportation under Sec. 19(c)(2)(a). It is alleged that he was lawfully married to one Tomiea Matsuda, nee Murakami, a native born citizen of the United States. The date of the marriage is not stated.

Since the case was last considered by us the provision of the statute respecting suspension of deportation has been amended to broaden the classes of aliens who may qualify for that form of relief. The motion will be granted.

ORDER: It is ordered that the order and warrant of deportation of the respondent be withdrawn.

A-6162247

- 2 -

IT IS FURTHER ORDERED that the proceeding be reopened to permit the respondent to apply for relief from deportation, and for other appropriate proceeding.

LLN/rgb

Chairman

COPY FOR

UNITED STATES DEPARTMENT OF JUSTICE  
Immigration and Naturalization Service

PARTY-IN-INTEREST

File: A-6162247

(No Appeal)

In re: TOMIJI MATSUDA

MAY 2 1951

IN DEPORTATION PROCEEDINGS

IN BEHALF OF RESPONDENT: Y. H. Hiracka, Esq.  
1435 Fresno Street  
Fresno, California

CHARGES: Warrant: Act of 1924 - No immigration visa.  
Act of 1918 - No passport.

Lodged: None

APPLICATION: Suspension of Deportation - Economic Detriment

DETENTION STATUS: Released upon conditional parole

DISCUSSION AS TO DEPORTABILITY: The respondent is a native and citizen of Japan, male, thirty-three years of age, who was brought to this country from Peru on the United States Army Transport "Cuba", arriving at New Orleans, Louisiana, on July 1, 1944 for the purpose of internment. This is his only entry which has been verified. (Ex. 3).

At the time of his arrival the subject was not inspected or admitted for permanent residence in the United States. He was not then in possession of a valid immigration visa or a valid passport as required by law. His entry, therefore, was not a lawful one for the purposes of permanent residence in this country, and he is deportable upon the grounds stated in the warrant of arrest, as above noted.

After a hearing in deportation proceedings on April 1, 1946 while interned at Crystal City, Texas, subject was paroled on August 22, 1946. Execution of an order of deportation entered on February 18, 1947 was deferred pending outcome of litigation involving a number of similar cases. Thereafter, on motion of his attorney, on June 2, 1950 the Board of Immigration Appeals authorized a reopening of the hearing to permit application for relief following his present marriage to a native-born citizen. The present application was made in the course of such reopened hearing.

DISCUSSION AS TO ELIGIBILITY FOR SUSPENSION OF DEPORTATION. The record shows that the respondent was legally married to a native-born citizen of the United States on December 5, 1948. Neither the respondent nor his wife have been previously married. They have no children at the present time but the wife is expecting to give birth to a child in April 1951.

She is at present employed and earns \$120.00 per month as a printer. She stated however she expects to discontinue this employment shortly and after the baby comes she will not resume her employment. She has no independent income and is dependent upon her husband for her support. The respondent is employed as a laborer and earns approximately \$44.00 per week. Their total assets amount to approximately \$1600.00, which consists of a few hundred dollars in a savings account and other personal property. If the husband, respondent, should be deported from the United States his wife would be without any means of support. It is clear from the record that the deportation of the respondent would result in serious economic detriment to his wife, who is a citizen of the United States, as he would then be unable to contribute substantially to her support, as she would prefer to remain in the United States.

A check of the appropriate local and federal records has failed to reveal an arrest or criminal record. As respondent was an enemy alien at the time he was brought to the United States, he did not register under the Selective Service and Training Act of 1940. He is not required at this time to register under the Selective Service Act of 1948.

Inquiry has disclosed that he has no connection with subversive groups. He has presented affidavits from witnesses to establish that he has been a person of good moral character since his arrival in the United States, and investigations conducted by this Service have established that he is of good moral character. The record indicates that the alien has established his eligibility for suspension of deportation.

**ORDER:**

It is ordered that the 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 if the Congress approves the suspension of the alien's deportation, the proceedings be canceled and the alien, if a quota immigrant at the time of entry and not then charged to the appropriate quota, be so charged as provided by law.

Assistant Commissioner  
Adjudications Division

JSH  
Emd

16-70

Rev. 2-14-50

UNITED STATES DEPARTMENT OF JUSTICE  
Immigration and Naturalization Service  
458 South Spring Street  
Los Angeles 13, California

Date: May 14, 1951

File Number: A6 162 247

Tomiji Matsuda  
1506 Pleasant Avenue  
Los Angeles 33, California

Dear Sir ~~or Madam~~:

Deportation has been suspended in your case, which action will be reported to Congress pursuant to Section 19(c)(2) of the Immigration Act of February 5, 1917, as amended.

If during the session of the Congress at which your 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, you will be so notified later and will at that time be requested to submit the fee required for creation of a record of lawful entry.

~~For your information, we are enclosing copy of Central Office Order dated \_\_\_\_\_.~~

Yours very truly,

H. R. LANDON  
District Director  
Los Angeles District

**J. W. NELSON**

By: **J. W. Nelson**  
Chief, Border Patrol Section

cc: Y. R. Hiraoka  
1435 Fresno Street  
Fresno, California

May 16, 1951

Mr. Tomoji Matsuda  
238 E. 2nd St.  
Los Angeles, Calif.

Dear Mr. Matsuda:

I wish to inform you that on May 2, 1951, the Commissioner of Immigration, Washington, D.C., approved your application for suspension of deportation. In consequence, if the Attorney General and Congress likewise approve, you will be permitted to remain in this country as a permanent resident.

Very truly yours,

Form 16-164  
1-10-45

UNITED STATES DEPARTMENT OF JUSTICE  
Immigration and Naturalization Service  
458 South Spring Street  
Los Angeles 13, California

Date: Nov. 16, 1951

File Number: A6 162 247 BP-H

Tomiji Matsuda  
440 E. 4th. St.  
Los Angeles, Calif.  
Dear Sir:

This is to inform you that a Concurrent Resolution has been passed by Congress upon the Order approved by the Attorney General, suspending deportation in your case.

A record of your lawful entry for permanent residence may therefore be created by this Service, conditioned upon payment of the required \$18.00 fee. The fee should be submitted by you to this office at the address shown above, in the form of a U. S. Postal Money Order payable to the Commissioner of Immigration and Naturalization, Los Angeles, California.

As it is to your interest that your case be concluded without unnecessary delay, you should submit the fee to this office within ten days of this notification. If for any reason you are unable to submit the fee within the time specified, please so inform this office immediately, giving the reasons therefor.

Very truly yours,

For the District Director

Copy to: Y. R. Hiraoka  
1435 Fresno St.  
Fresno, Calif.

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

January 9, 1952

Mr. Tomiji Matsuda  
440 E. 4th St.  
Los Angeles, California

Dear Mr. Matsuda:

Congress has approved the suspension of  
your deportation.

It is essential that you now submit to  
the Immigration and Naturalization Service,  
458 South Spring Street, Los Angeles 13,  
California, a U.S. Postal Money Order payable  
to the Commissioner of Immigration and  
Naturalization, Los Angeles, California,  
in the sum of \$18.00 which is required to  
establish a lawful record of your entry  
for permanent residence purposes. You  
should immediately send the said sum to the  
U. S. Immigration office at said address.

When and as you have made the payment,  
you will be entitled to the status of a  
permanent resident of the United States.

Very truly yours,

*John*

*all  
OK*

1506 Pleasant Avenue  
Los Angeles 33, Calif.,  
January 26, 1952

Mr. Wayne M. Collins  
1701 Mills Tower  
220 Bush Street  
San Francisco, Calif.

Dear Mr. Collins:

I have received your letter dated January 9, 1952 at my old address at 440 E. 4th Street, Los Angeles, California today.

I appreciate your assistance in informing me of the necessity of paying \$18.00 to the Immigration Service. I wish to inform you that I have made the necessary payment to the authorities on December 3, 1951. I am in possession of their receipt.

I wish to thank you for your assistance in being able to attain a permanent resident status.

Very truly yours,

Tomoji Matsuda

*Tomoji Matsuda*

*MIATSUDA, TOMOJI  
PERUVIAN-JAPANESE*

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

April 28, 1952

Tomiji Matsuda  
1506 Pleasant Ave.  
Los Angeles 33, California

Dear Mr. Matsuda:

This is to inform you that the Attorney General has approved your application for suspension of deportation. The Immigration Service already has forwarded to you a notice of that fact.

If Congress also approves your application for suspension, you will be granted permanent residence status in this country. If and when Congress approves your suspension you will be notified thereof by the Immigration Service which will request you to pay the fee it requires to establish a record of your lawful entry.

Very truly yours,

Form 16-186  
May 18, 1945

Immigration and Naturalization Service  
United States Department of Justice  
458 South Spring Street  
Los Angeles 13, California

File Number  
A6 162 247 BP-H  
April 30, 1952

Tomoji Matsuda  
1506 Pleasant Ave.  
Los Angeles, California

Dear Sir:

This is to inform you that deportation in your case has been suspended in accordance with the provisions of Section 19 (c) of the Immigration Act of 1917, as amended, the warrant of arrest canceled, and a record of lawful entry for permanent residence created as of your entry on July 1, 1944 at New Orleans, Louisiana. Enclosed is your new Alien Registration Receipt Card, No. 6162247, which should remain in your possession at all times.

Very truly yours,

District Director

By:  
Chief, Border Patrol Section

Copy to: Y. R. Hiraoka  
1435 Fresno Street  
Fresno, California