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OKAMOTO, Nami ne KUDO

1950

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

May 1, 1950

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

Gentlemen:

In re: Mrs. Nami Okamoto, nee Kudo
Chicago, Illinois

Enclosed find appearance form and application to reopen cause for the purpose of enabling Mrs. Nami Okamoto, nee Kudo, who is living at 4414 S. Berkeley Avenue, Chicago 15, Illinois, to apply for a suspension of deportation, together with accompanying affidavit of merits.

Very truly yours,

Copy to:
USI&NS, Chicago, Ill.

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BEFORE THE BOARD OF IMMIGRATION APPEALS
BEFORE THE COMMISSIONER OF IMMIGRATION

In the Matter of)
NAMI OKAMOTO, nee Kudo) No. _____
-----)

NAMI OKAMOTO, nee Nami Kudo, hereby requests that the deportation proceeding heretofore instituted against her be reopened for the purpose of enabling her 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 she is and has been for a period of time in excess of five years a person of good moral character and is the wife of Thomas Y. Okamoto, a native born United States citizen and legal resident of the United States, and that in consequence, her deportation would result in serious economic detriment to her said husband.

WHEREFORE, applicant requests that said cause be reopened for the aforesaid purposes to enable applicant to introduce oral and documentary evidence of her 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 4, 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 Nami Okamoto, nee Kudo, the applicant in the foregoing application named; 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 is the wife of Thomas Y. Okamoto, who is a native born United States citizen and who is a legal resident of the United States and to whom she was united in marriage at Chicago, Illinois, on October 2, 1949; that the deportation of applicant would result in serious economic detriment to said Thomas Y. Okamoto, her husband; that applicant desires to have her deportation proceeding reopened to enable her 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 her said eligibility to apply for and to be granted such suspension of deportation.

Wayne M. Collins

Subscribed and sworn to before me
this 2d day of May, 1950.

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

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

May 16, 1950

In re: Mrs. Nami Okamoto nee Kudo
File No. 6139103
ALM:rmd

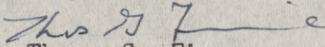
Wayne M. Collins, Esquire
Mills Tower, 220 Bush Street,
San Francisco, California.

My dear Mr. Collins:

This will acknowledge receipt of your communication dated May 1, 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

6139103
NAMI Okamoto

May 24, 1950

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

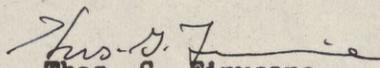
My dear Mr. Collins:

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
Chairman

MAY 24 1950

In re: NAMI OKAMOTO nee KUDO

File: A-6139103

IN DEPORTATION PROCEEDINGS

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

The subject of this record, a female of the Japanese race, was born in Lima, Peru. She entered the United States on the United States Army Transport "Cuba" at the port of New Orleans, Louisiana, on March 21, 1944, with her parents. She was brought here for the purpose of internment. On February 20, 1947, her deportation was ordered to Peru by this Board. Subsequently, execution of the order of deportation was deferred.

The case is now before us on motion of counsel requesting that the proceedings be reopened for the purpose of permitting the respondent to make application for suspension of deportation under Section 19(c)(2) of the Immigration Act of 1917, as amended by Public Law 863. It is alleged that the respondent has been a person of good moral character for the past five years and that she is now married to a native born citizen of the United States. It is further alleged that her deportation would result in serious economic detriment to her citizen husband.

Upon full consideration of the record and of counsel's motion, we believe that the request to reopen the proceedings should be granted.

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

It is FURTHER ORDERED that the proceedings be reopened for the purpose of permitting the alien to make application for appropriate discretionary relief.

LW:ldr

Chairman