

19:9

SAKODA, EIKICHI

1950-1951

* Returned to Japan

78/177

c

April 15, 1950

U. S. Department of Justice
Immigration and Naturalization Service
Pennsylvania Building
42 S. 15th Street
Philadelphia 2, Pa.

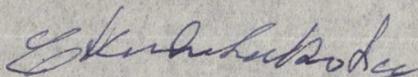
Gentlemen:

I am a person of Japanese ancestry brought to this county against my wishes from Peru in February 1943. I understand that there is a deportation order against me and I now wish to be deported to Japan. Please make the necessary arrangements so that I may go to Japan.

I have lost my Alien Registration Receipt Card. Please issue a new card to me.

I have been represented in all legal actions taken either by the government or instituted by me by Mr. Wayne Collins, Mills Tower, 220 Bush Street, San Francisco 4, California.

Very truly yours,



Eikichi Sakoda
Dormitory 3 Room 120
Seabrook, New Jersey

single 59 yrs

cc: Mr. Wayne Collins. ✓

April 19, 1950

Mr. Eikichi Sakoda
Dormitory 3, Room 120
Seabrook, New Jersey

Dear Mr. Sakoda:

I received the copy of your letter of April 15th addressed to the Immigration Service in Philadelphia which contains your request for deportation to Japan.

Inasmuch as you first arrived in the United States in February of 1943 and have now resided in the United States for a period of seven years, you are entitled to apply for a suspension of deportation and to apply for permanent residence status in the U. S. If you wish to apply for that suspension and residence status, both will be granted to you after a hearing by the Immigration Service and the approval of the Attorney General and Congress. That would enable you thereafter to visit Japan for a maximum period of one year whereupon you could return to the United States and thereafter visit Japan when and as you saw fit.

If you depart from the U. S. without first having obtained a suspension of deportation and been granted permanent residence status in this country, you would not be permitted to return to the U. S. in the future except as a temporary visitor when Congress authorizes Japanese aliens to visit the U. S.

It is my suggestion to you that before you make your final decision to return to Japan you should apply for a suspension of deportation and a permanent residence status in this country and thereafter you would be enabled to visit Japan.

I suggest you discuss the matter thoroughly with Mr. Yasuhiko Ohashi before you decide to go to Japan.

Very truly yours,

File

May 11, 1950

0400/19192
ID

Eikichi Sakoda
Dormitory 3, Rm 120
Sea brook, New Jersey

Dear Sir:

Reference is made to your communication of April 15, 1950, relative to your desire to be deported to Japan, and the loss of your alien registration receipt card.

The matter of your deportation has been taken up with the Central Office of this Service and you will be informed promptly of any decision reached.

Under present regulations a new alien registration receipt card may not be issued to a person who is not legally a resident of the United States.

A copy of this letter is being forwarded to Mr. Wayne Collins, Mills Tower, 220 Bush Street, San Francisco, 4, California.

Very truly yours,

Karl I. Zimmerman
District Director

CC: Mr. Wayne Collins
Mills Tower
220 Bush Street
San Francisco, 4, California.

JUL 5 - 1950

IN THE MATTER
OF
EIKICHI SAKODA

File: A-5967496

IN DEPORTATION PROCEEDINGS

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

This case is before us on a motion to amend our order of February 18, 1947, in which we directed that respondent be deported to Peru. Respondent has informed us that he now wishes to be deported to Japan, not Peru. (In 1945, respondent stated that although he preferred to remain in the United States, he did not wish to be repatriated to Japan since he had family ties in Peru.)

Respondent is a 59-year native and citizen of Japan, who has resided in Peru since 1909^{to 1943}. Respondent has a wife living in Peru, who is a native and citizen of that country; they have two sons, aged 31 and 28, who are in the Peruvian Army and three daughters, 21, 18 and 16 years old, who are living with their mother or their aunt. Respondent's only relative in Japan is a brother, whom he previously stated he had not heard from in over 30 years. Respondent entered the United States at San Pedro, California on February 26, 1943, having been apprehended in Peru and brought here for internment. He was interned in camps at Kooskia, Idaho and Santa Fe, New Mexico as an enemy alien, and then in 1946 he was paroled to work at the Seabrook Farms, Bridgeton, New Jersey. Respondent is currently working there.

Respondent was found deportable in 1946 on the following grounds: (1) Under Sections 13 and 14 of the Act of 1924, as an immigrant not in possession of a valid immigration visa; (2) under the Passport Act of 1918, as an alien not in possession of an unexpired passport at the time of entry; and (3) under Sections 13 and 14 of the Act of 1924, as an alien who is ineligible to citizenship and not entitled to enter this country. The finding was affirmed by this Board on February 18, 1947 and respondent was ordered deported to Peru, with execution of the order deferred, pending the outcome of litigation involving the respondent. (Respondent was struck by an automobile, while crossing the street in the Seabrook Farms area in late 1946; he was severely injured and required medical and surgical care.)

We will grant the motion to amend our previous order, so that respondent may be deported to Japan, as he requests. This determination is without prejudice to respondent's filing an application for discretionary relief, if he so desires, since the record does not show that respondent has been advised of his rights in this regard.

ORDER: It is hereby ordered that the motion be granted and that the order of deportation be amended to provide for deportation to Japan at government expense.

Chairman

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

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

5967496
Sakoda

July 5, 1950

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

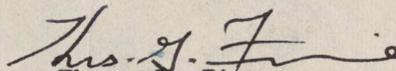
My dear Mr. Collins:

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
Chairman

JUL 5 - 1950

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OF
EIKICHI SAKODA

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IN BEHALF OF RESPONDENT: Wayne M. Collins
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Respondent is a 59-year-old native and citizen of Japan, who has resided in Peru since 1909. ^{to 1943} Respondent has a wife living in Peru, who is a native and citizen of that country; they have two sons, aged 31 and 28, who are in the Peruvian Army and three daughters, 21, 18, and 16 years old, who are living with their mother or their aunt. Respondent's only relative in Japan is a brother, whom he previously stated he had not heard from in over 30 years. Respondent entered the United States at San Pedro, California on February 26, 1943, having been apprehended in Peru and brought here for internment. He was interned in camps at Kooskia, Idaho and Santa Fe, New Mexico as an enemy alien, and then in 1946 he was paroled to work at the Seabrook Farms, Bridgeton, New Jersey. Respondent is currently working there.

Respondent was found deportable in 1946 on the following grounds: (1) Under Sections 13 and 14 of the Act of 1924, as an immigrant not in possession of a valid immigration visa; (2) under the Passport Act of 1918, as an alien not in possession of an unexpired passport at the time of entry; and (3) under Sections 13 and 14 of the Act of 1924, as an alien who is ineligible to citizenship and not entitled to enter this country. The finding was affirmed by this Board on February 18, 1947 and respondent was ordered deported to Peru, with execution of the order deferred, pending the outcome of litigation involving the

respondent. (Respondent was struck by an automobile, while crossing the street in the Seabrook Farms area in late 1946; he was severely injured and required medical and surgical care.)

We will grant the motion to amend our previous order, so that respondent may be deported to Japan, as he requests. This determination is without prejudice to respondent's filing an application for discretionary relief, if he so desires, since the record does not show that respondent has been advised of his rights in this regard.

ORDER: It is hereby ordered that the motion be granted and that the order of deportation be amended to provide for deportation to Japan at government expense.

Chairman

CPM:lr

July 10, 1950

Mr. Ginzo Murono
Seabrook Farms
Bridgeton, New Jersey

Dear Mr. Murono:

Re: Eikichi Sakoda

I suggest that you again talk to Mr. Sakoda and endeavor to prevail upon him to apply for repatriation to Peru rather than be deported to Japan.

Inasmuch as Mr. Sakoda has children serving in the Peruvian Army, it is my belief that the Minister of Foreign Affairs at Lima would grant his application to return if his children will apply for repatriation to Peru and enter into a satisfactory agreement with the Minister of Foreign Affairs showing that Mr. Sakoda would be provided for by his children in Peru. I would thank you to discuss the matter with Mr. Sakoda immediately and let me know by return mail what his final wishes are in the matter. There is still time for me to file a motion on his behalf which will enable him to have an application for suspension of his deportation to Japan.

Very truly yours,

July 10, 1950

Mr. Eikichi Sakoda
Seabrook Farms, Bridgeton
New Jersey

Dear Mr. Sakoda:

Enclosed find a copy of the order issued on July 5, 1950, by the Board of Immigration Appeals. The order permits you now to be deported to Japan at Government expense pursuant to the request heretofore made by you.

If you wish to change your mind and remain permanently in this country you may apply for discretionary relief.

My suggestion to you again is that you reconsider the matter. It seems to me that unless you are assured of employment in Japan that you would do better by remaining in the United States. In addition thereto, since your children are in Peru it is now possible for you to return to Peru if you so desire. You should consult Mr. Muroso immediately on the steps which you can take to be restored to Peru. Your children undoubtedly could act as sponsors for you in making application for your repatriation to Peru. They can apply direct to the Minister of Foreign Affairs and fill out the necessary application form and affidavits that are required by that office.

Very truly yours,

Copy: Mr. Muroso

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

July 25, 1950

Mr. Eikichi Sakoda
Seabrook Farms
Bridgeton, New Jersey

Dear Mr. Sakoda:

Enclosed find copy of a letter I have
sent to the Commissioner of Immigration,
Washington, D. C., on your behalf.

Very truly yours,

Copy to:
Mr. Murono

Sept. 6, 1950

Mr. Ginzo Murono, Seabrook Farms, N.J.
Mr. Koshiro Mukoyama, Seabrook Farms, N.J.
Mr. Hajime Kishi, Seabrook Farms, N. J.

Gentlemen:

In re: Eikichi Sakoda

Kindly advise me by air mail whether or not Eikichi Sakoda has left Seabrook Farms for Japan. My letter addressed to him at Seabrook Farms was returned to me undelivered. I would thank you also to inform me what Mr. Sakoda has done toward applying for repatriation to Peru, and whether or not he has obtained a sponsor who has applied in Peru for his repatriation to that country inasmuch as it will be necessary to inform the Immigration Service of the efforts taken on his behalf to be repatriated to Peru.

Very truly yours,

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

~~PENNSYLVANIA BUILDING~~
~~42 SOUTH FIFTEENTH STREET~~
~~PHILADELPHIA 2, PA.~~
LAFAYETTE BUILDING
5th & CHESTNUT STS.
PHILADELPHIA 6, PA.

PLEASE REFER TO THIS FILE NUMBER

ID 0400/19192

September 12, 1950

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

Dear Sir:

Re: EIKICHI SAKODA

Reference is made to Miss Phippen's letter of August 31, 1950 and to your letter of July 25 addressed to the Commissioner. Please inform us of the basis for your statement that there is now a likelihood of his being granted permission to return to Peru.

Your attention is invited to the next to the last paragraph of the Board of Immigration Appeals order of July 5, 1950, reading as follows:

"We will grant the motion to amend our previous order, so that respondent may be deported to Japan, as he requests. This determination is without prejudice to respondent's filing an application for discretionary relief, if he so desires, since the record does not show that respondent has been advised of his rights in this regard."

You are informed that our letter of August 29, 1950 addressed to Eikichi Sakoda at Dormitory 3, Room 120, Seabrook, New Jersey notifying him of the order of deportation to Japan with instructions as to what he may take with him, has been returned by the Postal authorities as "Unclaimed."

Very truly yours,

Karl I. Zimmerman
Karl I. Zimmerman
District Director ~

Mr. Wayne M. Collins
Mills Tower, 220 Bush St.
San Francisco 4, Calif.

Ginzo Muroso
85 Hoover Annex
Seabrook, N. J.

Sept. 10 - 1950

Dear Mr. Collins:

In re: Eikichi Sakoda

In reply to your letter of Sept. 6, 1950 I may inform you that Eikichi Sakoda is still stays here at Seabrook Farms opening barber shop in sound health. About your undelivered letter I suppose that as he missed long time to go post office to receive it they had to return it to you.

His eldest son Maximo Sakoda is applying as his sponsor to the Foreign Minister of Peru for repatriation to Peru.

Accept my hearty thanks for the kindness extended to us and please continue your favours toward us.

Yours very truly
Ginzo Muroso

Sept. 18, 1950

Mr. Karl I. Zimmerman
District Director, U. S. Immigration
and Naturalization Service
Lafayette Building
5th & Chestnut Streets
Philadelphia 6, Pa.

Dear Mr. Zimmerman:

In re: Eikichi Sakoda - ID 0400/19192

Enclosed find application to reopen the above-entitled cause to enable Eikichi Sakoda to apply for a suspension of deportation. If the application should be addressed to the Board of Immigration Appeals I would be grateful if you would simply forward the application forms to that Board.

Inasmuch as the Peruvian Government recently decided to entertain applications for the repatriation to Peru of sundry persons who had been seized there and brought to this country, Mr. Sakoda has decided to make a last effort to be repatriated to his home and family in Peru. Pursuant thereto and in accordance with the request of the Peruvian Government, he has through his son, Maximo, applied to the Minister of Foreign Affairs of Peru for his repatriation and his son has consented to act as his sponsor. In my opinion there is a likelihood that Mr. Sakoda may be permitted to return to his family in Peru. Therefore we request that his deportation to Japan be deferred pending a conclusive determination as to whether Peru will accept his re-admission.

Mr. Sakoda did not receive your letter of August 29th simply because not expecting any mail he has neglected to call for his mail at the address to which your letter was sent. I suggest that in the future if you have any difficulty in delivery of mail to any of the Peruvian-Japanese at Seabrook Farms or elsewhere that a copy of the letter be addressed to Mr. Ginzo Murono at 85 Hoover Annex, Seabrook Farms, Bridgeton, New Jersey, inasmuch as he acts as spokesman for the Peruvian-Japanese group.

Very truly yours,

Copy to: Mr. Ginzo Murono

BEFORE THE BOARD OF IMMIGRATION APPEALS

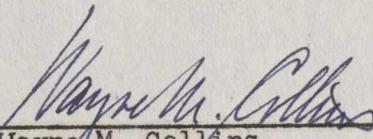
BEFORE THE COMMISSIONER OF IMMIGRATION

In the Matter of)
EIKICHI SAKODA) No. _____
-----)

APPLICATION TO REOPEN CAUSE FOR A SUSPENSION OF DEPORTATION

EIKICHI SAKODA 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. 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 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

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 _____ KIKICHI SAKODA _____, 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 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

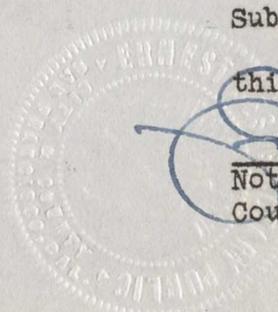
Wayne M. Collins
1701 Mills Tower
San Francisco 4, Calif.

Attorney for Applicant.

Subscribed and sworn to before me

this 15TH day of Sept., 1956.

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



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

July 25, 1950

Mr. Eikichi Sakoda
Seabrook Farms
Bridgeton, New Jersey

Dear Mr. Sakoda:

Enclosed find copy of a letter I have
sent to the Commissioner of Immigration,
Washington, D. C., on your behalf.

Very truly yours,

Wayne M. Collins

Copy to:
Mr. Muroso

*Returned
unclaimed*

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

July 25, 1950

Commissioner of Immigration
Department of Justice
Washington 25, D. C.

Dear Sir:

In re: Eikichi Sakoda, Peruvian-Japanese
Seabrook Farms, New Jersey

Mr. Eikichi Sakoda, Peruvian-Japanese, heretofore detained at Seabrook Farms, Bridgeton, New Jersey, applied to be repatriated to Japan. The Board of Immigration Appeals has authorized the said deportation.

Mr. Sakoda now informs me that in view of the fact that there is a likelihood that Peru may permit his return to that country, he now desires first to attempt to be returned to Peru before being deported to Japan. It is my request, therefore, that you use your good offices to withhold the deportation of Mr. Sakoda to Japan until such time as we ascertain finally whether or not the Peruvian Government will permit his return to his family in Peru.

If it be necessary for me to present an application to the Board of Immigration Appeals to withhold his deportation, I would be obliged if you would let me know by return mail.

Very truly yours,

Copy to: USI&NS, Philadelphia

Copy also to: Mr. Sakoda
Mr. Murono

Mr. Wayne M. Collins
Mills Tower, 220 Bush St.
San Francisco 4, Calif.

Ginzo Muroso
85 Hoover Annex
Seabrook, N. J.

July 14, 1950

Dear Mr. Collins:

Re: Eikichi Sakoda

I have received your letter dated July 10 kindly suggesting^{ed} that Mr. Sakoda to apply for repatriation to Peru rather than be deported to Japan.

I told him immediately^{about} your kind suggestion in detail last night, and knew he already changed his mind and applied for repatriation to Peru without cancell his application to Immigration Office.

So would you please file a motion on his behalf for suspension of his deportation to Japan as soon as possible.

Very truly yours,
Ginzo Muroso

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

July 25, 1950

Commissioner of Immigration
Department of Justice
Washington 25, D. C.

Dear Sir:

In re: Eikichi Sakoda, Peruvian-Japanese
Seabrook Farms, New Jersey

Mr. Eikichi Sakoda, Peruvian-Japanese, heretofore detained at Seabrook Farms, Bridgeton, New Jersey, applied to be repatriated to Japan. The Board of Immigration Appeals has authorized the said deportation.

Mr. Sakoda now informs me that in view of the fact that there is a likelihood that Peru may permit his return to that country, he now desires first to attempt to be returned to Peru before being deported to Japan. It is my request, therefore, that you use your good offices to withhold the deportation of Mr. Sakoda to Japan until such time as we ascertain finally whether or not the Peruvian Government will permit his return to his family in Peru.

If it be necessary for me to present an application to the Board of Immigration Appeals to withhold his deportation, I would be obliged if you would let me know by return mail.

Very truly yours,

Copy to: USIANS, Philadelphia

Copy also to: Mr. Sakoda
Mr. Murono

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

~~ROBINSON BUILDING~~
~~42 SOUTH FIFTEENTH STREET~~
PHILADELPHIA 6, PA.

Lafayette Bldg. 5th & Chestnut Sts.

PLEASE REFER TO THIS FILE NUMBER

DDO 0400-19192

August 15, 1950

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

In re: EIKICHI SAKODA

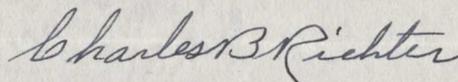
Dear Mr. Collins:

Reference is made to your copy of letter addressed to the Commissioner, Washington, D. C., dated July 25, 1950, regarding the above-named alien.

Kindly advise what, if any, progress has been made toward securing permission of this alien to return to Peru. The order of the Board of Immigration Appeals of July 5, 1950 directing deportation to Japan has been forwarded to this office for execution.

A prompt reply will be appreciated.

Very truly yours,



Charles B. Richter
District Docket Officer

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

~~ROBINSON BUILDING~~
~~222 SOUTH FIFTEENTH STREET~~
~~PHILADELPHIA 20 PA~~

Lafayette Building, 5th & Chestnut Sts.
Philadelphia 6, Pa.

PLEASE REFER TO THIS FILE NUMBER

DDO 0400-19192

August 28, 1950

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

In re: EIKICHI SAKODA

Dear Mr. Collins:

Reference is being made to copy of your letter dated July 25, 1950 addressed to the Commissioner, Washington, D. C., and our letter of August 15, 1950 regarding the above-named alien. No further word having been received from the Department, a warrant of deportation directing the alien's return to Japan, in accordance with the Department's order of July 5, 1950, was issued on August 25, 1950.

Very truly yours,

Karl I. Zimmerman
District Director

By: *Charles B. Richter*
District Docket Officer

ID 0400/19192

August 29, 1950

Mr. Eikichi Sakoda
Dormitory 3, Room 120
Seabrook, New Jersey

Dear Sir:

You are informed that in accordance with your request an order has been entered directing your deportation to "Japan". We will arrange for your deportation on the first available sailing.

You will be permitted to take with you only 175 pounds of baggage, of which not more than two pieces may be carried. The rest will be sent in the hold of the vessel. Baggage other than suitcases or trunks should be securely crated. No household effects will be permitted in your baggage.

It is suggested that you place your affairs in order so that you can surrender on short notice for deportation.

Very truly yours,

Karl I. Zimmerman
District Director

✓ CC: Mr. Wayne Collins
Attorney at Law
Mills Tower Building
San Francisco, California

Re: Eikichi Sakoda

I asked Mr. Olshausen about
this matter and he suggested
attached letter which was sent.

DP

August 31, 1950

← should be
SEPT. 1

District Director, United States
Immigration and Naturalization Service
Lafayette Building, 5th & Chestnut Sts.
Philadelphia 6, Pa.

Attn: Mr. Charles B. Richter
District Docket Officer

Gentlemen:

In re: Eikichi Sakoda
DDO 0400-19192

I have just received copy of letter of the District Director, USI&NS, Philadelphia, addressed to Mr. Sakoda stating that an order has been entered directing his deportation to Japan. Attention is called to our letter of July 25th and your letter of August 15th. The latter asks for information as to "what, if any, progress has been made toward securing permission of this alien to return to Peru". Before we were able to give an answer to this letter, we received your letter of August 28th stating that proceedings were under way to deport the alien to Japan.

Mr. Collins has been out of town since early last week and is not expected to return for a few days longer. I shall ask him to get in touch with your office as soon as he returns. In the meantime, I would appreciate your withholding service of the warrant as there seems to be some confusion in the matter of Mr. Sakoda's deportation.

Very truly yours,

Secretary to Mr. Collins

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

September 27, 1950.

In re: Eikichi Sakoda
File No. 5967496
ALM:rmd

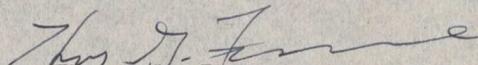
Wayne M. Collins, Esquire
Mills Tower, 220 Bush Street,
San Francisco, California.

My dear M r. Collins:

This will acknowledge receipt of your communication dated September 18, 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

SEABROOK FARMS CO.

QUICK-FROZEN AND CANNED FOODS

BRIDGETON, NEW JERSEY, U. S. A.

TELEPHONE 1880

October 7, 1950

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

Dear Mr. Collins:

Mr. Eikichi Sakoda, sometime ago, wrote the Immigration and Naturalization Service requesting that he be deported to Japan at government expense. He has now changed his mind and wishes to go to Peru. He has asked me to write you, asking you to "write an United States representative in Peru so that his case could be speeded-up."

Mr. Sakoda told me that he has a wife and five children in Peru, and he is unable to pay his own transportation to that country.

Very truly yours,

SEABROOK FARMS CO.

Harold S. Fistere

Harold S. Fistere
Personnel Director

HSF:sk

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

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

5967496
Sakoda

October 9, 1950

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

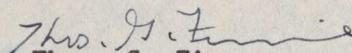
My dear Mr. Collins:

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
Chairman

Fish

OCT 6 - 1950

IN THE MATTER
OF
EIKICHI SAKODA

File: A-5967496

IN DEPORTATION PROCEEDINGS

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

This matter is before us upon motion of counsel requesting that the hearing be reopened in order that the subject alien may apply for suspension of deportation or such other remedial relief as may be warranted (8 U.S.C., Sec. 155, as amended by P.L. 863).

The subject of this motion testified that he was born in Japan on September 5, 1890. A warrant for his arrest was issued on March 31, 1946 and same was extended on April 1, 1946. At that time it was determined that the alien was subject to deportation under the provisions of Section 13 and 14 of the Immigration Act of May 26, 1924 in that at the time of entry he was an immigrant not in possession of unexpired immigration visa (8 U.S.C., Secs. 213 and 214) and for the further reason that he was not in possession of a valid passport when he entered this country pursuant to the provisions of the so-called Passport Act of May 22, 1918. He was also found subject to deportation because he was an alien ineligible to citizenship (8 U.S.C., Sec. 213 and 214). Ineligibility for remedial relief solely because of race was eliminated by the Act of July 1, 1948 amending Section 19, Act of 1917. (8 U.S.C., Sec. 155 as amended by P. L. 863 of July 1, 1948.)

When this matter was last considered on July 5, 1950 a motion was granted amending the order of deportation to provide for the subject's return to Japan. In this connection it might be noted that he resided in Peru from 1909 to 1943; and that he was brought to this country for security reasons. His wife, a native and citizen of Peru, is residing in that country with her two sons and three daughters, ages 31 to 16 respectively. The sons were at the time of prior consideration members of the Peruvian Army.

The subject alien arrived at San Pedro, California on or about February 6, 1943 and was subsequently detained in the Santa Fe Internment Camp, Santa Fe, New Mexico. He has been in this country for upwards of seven years and on February 18, 1947 this Board directed that execution of the warrant of deportation be deferred pending the outcome of litigation. Under date of September 18, 1950 counsel informed the District Director of Immigration and Naturalization, Philadelphia, Pennsylvania that "the Peruvian Government recently decided to entertain applications for the repatriation to Peru of sundry persons who had been seized there and brought to this country, Mr. Sakoda has decided to make a last effort to be repatriated to his home and family in Peru. Pursuant thereto and in accordance with the request of the Peruvian Government, he has through his son, Maximo, applied to the Minister of Foreign Affairs of Peru for his repatriation and his son has consented to act as his sponsor." The privilege thus sought should be granted and at the same time this individual should be given an opportunity to file such application as he may desire for remedial relief.

ORDER: It is ordered that the order and warrant of deportation predicated thereon now outstanding be withdrawn and that the alien be given an opportunity to apply for such remedial relief as may be warranted.

Chairman

RHC:lr

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

October 13, 1950

Mr. Harold S. Fistere
Personnel Director
Seabrook Farms Co.
Bridgeton, New Jersey

Dear Mr. Fistere:

In reply to your letter of Oct. 7, 1950, I wish to inform you that our Embassy in Peru steadily has done its level best to have each of the Peruvian-Japanese within this country who wished to return to Peru to be repatriated to that country. Representations are made on an average of each three months by our Embassy to the Peruvian Minister of Foreign Affairs.

As you probably have been informed the Peruvian Government has consented to consider the applications of the Peruvians to be repatriated to that country provided their sponsors in Peru will execute the special application forms which can be supplied to the sponsors at the office of the Minister of Foreign Affairs in Lima. Each application by a sponsor will be given consideration. Mr. Sakoda has been informed by various letters from me that it is necessary for him or his sponsors to follow the procedure above-outlined. I have been informed that his sponsors in Peru already have made representations on his behalf. It is my hope that the Minister of Foreign Affairs at Lima soon will approve the applications of those Peruvians who wish to return to Peru. I shall again write to our Embassy in Peru to see if the Embassy will be willing to make representations on behalf of Mr. Sakoda individually.

Very truly yours,



Copy to:
Mr. Ginzo Murono
Mr. Eikichi Sakoda

Exp. 0400/19192

December 19, 1950

Mr. Eikichi Sakoda
c/o Mr. Ginzo Muroto
85 Hoover Annex, Seabrook Farms
Bridgeton, New Jersey

Dear Sir:

With reference to the expulsion proceeding pending against you, please be advised that it was ordered on October 6, 1950 that the outstanding order and warrant of deportation in your case be withdrawn and that you be given an opportunity to apply for such remedial relief as may be warranted.

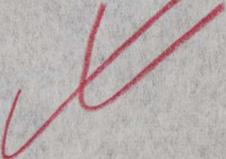
The aforementioned order states that you are requesting the Peruvian Government, through your son Maximo, to be repatriated to that country. Your attorney has also requested that your case be reopened so that you may apply for suspension of deportation.

Will you therefore please advise this office whether you have succeeded in your application for repatriation to Peru or whether it is your intention to apply for suspension of deportation. If the latter be the case, please furnish the documents enumerated on the enclosed form, 4-89.

Very truly yours,

Henry L. Mulle
Acting District Director

Encl.


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

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

In reply refer
to file number

Dear Sir (or Madam):

In support of your application for suspension of deportation, you are required to submit the following checked documents:

- () Certificate of your marriage to your present spouse.
- () Proof of termination of any prior marriages of either you or your spouse.
- () Proof of spouse's birth, if born in the United States.
- () Birth certificates of children.
- x
() Affidavits from two witnesses, preferably citizens of the United States, who have known you for at least five years, containing the following: Name, address and citizenship of the deponent; circumstances under which he or she became acquainted with you and the length and nature of such acquaintanceship; information concerning your moral character and loyalty to the United States and his or her opinion as to whether or not you should be permitted to become a citizen of the United States. Forms for this purpose are attached.
- x
() Affidavit from your employer showing the length of employment, salary, position and his opinion as to your character and dependability.
- x
() Police letters from the cities or towns in the United States and abroad in which you have lived during the past five years, indicating whether or not any criminal record exists in your name.
- x
() Two (2) photographs, passport style (1½" wide x 2" long, distance from top of head to chin 1¼", front view, without hat, on thin paper against light background).
- (x) Form I-256.
- (*) Your Alien Registration Receipt Card.
- () Forward documentary evidence that you have resided continuously in the United States for seven years and were residing here on July 1, 1948. Such documentary evidence may consist of a record of employment, a record of attendance at school or church, a bank record showing a sequence of transactions, receipted bills for gas and electric or telephone service, or other similar records.

The original of each document must be submitted and, if you desire the return thereof, a photostatic copy must also be submitted. All certificates should be issued by civil authorities. Foreign language documents should be accompanied by certified translations. All documents requested must be submitted within _____ days.

Very truly yours,

Karl I. Zimmerman,
District Director.

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

December 26, 1950

Mr. Eikichi Sakoda
c/o Mr. Ginzo Murono
85 Hoover Annex, Seabrook Farms
Bridgeton, New Jersey

Dear Mr. Sakoda:

Inasmuch as your application to return to Peru has not yet been approved by the Peruvian Government the best course for you to follow is to apply for a permanent suspension of deportation to the Immigration Service. That Service has already sent you a letter suggesting that you produce the necessary documents. I am writing to the Immigration Service at Philadelphia requesting them to proceed with your hearing on an application for suspension of deportation. If the Peruvian Government hereafter approves your return to Peru you will still be able to return to that country. In the interim you should protect yourself by applying for suspension of deportation in this country.

Very truly yours,

Copy to:
Mr. Ginzo Murono
Mr. Koshiro Mukoyama



January 17, 1951

Mr. Henry L. Mulle
Acting District Director
United States Department of Justice
Immigration and Naturalization Service
Pennsylvania Building
42 South Fifteenth Street
Philadelphia 2, Pa.

Re: Exp. 0400/19192

Dear Mr. Mulle:

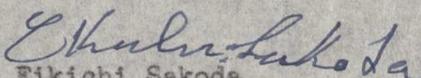
Reference is made to your letter of December 19, 1950, in which you ask whether or not I wish to be repatriated to Peru or whether I wish to apply for suspension of deportation.

It is my desire to return to Peru. I have been advised by my son, Maximo, that he has furnished the Peruvian Government with all necessary documents which would facilitate clearance from that government.

Among other things he has given the Peruvian Government assurance that I would not be a financial burden to the Peruvian Government.

Since this is the case, I wonder if you would be good enough to arrange to have me admitted to Peru. Anything that you can do to speed-up this action will be greatly appreciated by me.

Very truly yours,


Eikichi Sakoda
c/o Mr. Ginzo Murono
85 Hoover Annex
Seabrook Farms
Bridgeton, New Jersey

cc: Mr. Wayne Collins

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Pennsylvania Building
42 South Fifteenth Street
Philadelphia 2, Pa.

Please refer to this file number

Exp. 0400/19192

December 19, 1950

Mr. Eikichi Sakoda
c/o Mr. Ginzo Muroso
85 Hoover Annex, Seabrook Farms
Bridgeton, New Jersey

Dear Sir:

With reference to the expulsion proceeding pending against you, please be advised that it was ordered on October 6, 1950 that the outstanding order and warrant of deportation in your case be withdrawn and that you be given an opportunity to apply for such remedial relief as may be warranted.

The aforementioned order states that you are requesting the Peruvian Government, through your son Maximo, to be repatriated to that country. Your attorney has also requested that your case be reopened so that you may apply for suspension of deportation.

Will you therefore please advise this office whether you have succeeded in your application for repatriation to Peru or whether it is your intention to apply for suspension of deportation. If the latter be the case, please furnish the documents enumerated on the enclosed form, 4-89.

Very truly yours,

/s/ HENRY L. MULLEmr.
Henry L. Mulle
Acting District Director

Encl.

C
O
P
Y

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

January 24, 1951

Commissioner of Immigration
Washington, D. C.

Dear Sir:

Re: Mr. Eikichi Sakoda
File: A-5967496

I am informed that Mr. Eikich Sakoda, despairing of being authorized to return to his home in Peru, now desires to have the United States Government deport him to Japan. In view of these facts I would be grateful if you would use your good offices for the purpose of transporting Mr. Sakoda to Japan.

Very truly yours,

Copy to: USI&NS, PHILADELPHIA, PA.
Mr. Koshiro Mukoyama

January 24, 1951

Mr. Koshiro Mukoyama
55 Hoover Annex
Seabrook, Bridgeton, New Jersey

Dear Mr. Mukoyama:

If Mr. Eikichi Sakoda has re-applied for permission to be sent to Japan the Immigration Service will do its best to deport him at the earliest opportunity.

Very truly yours,

U. S. DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
LAFAYETTE BUILDING, 514 & CHESTNUT STS.
PHILADELPHIA 6, PA.

File

ID 0400/19192

February 1, 1951

Mr. Eikichi Sakoda
c/o Mr. Ginzo Murono
85 Hoover Annex
Seabrook Farms
Bridgeton, New Jersey

Dear Sir:

Further reference is made to your letter of January 17, 1951 regarding your desire to be returned to Peru in which you informed us that you understood your son has made the necessary representations to the Government of Peru looking to the issuance of a visa for return to Peru.

We are now in receipt of a copy of a communication written by your attorney, Mr. Wayne Collins, and addressed to our Central Office at Washington, D. C. requesting that arrangements be made promptly for your deportation to Japan.

Please make a definite commitment as to whether you desire (1) to proceed with your application for suspension of deportation which is now pending; (2) be deported to Japan; or (3) deported to Peru, so that we may inform our Central Office.

Very truly yours,

Karl I. Zimmerman
District Director

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

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

PLEASE ADDRESS REPLY TO

April 13, 1951

AND REFER TO THIS FILE NO:

A-5967496 WU

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

Dear Sir:

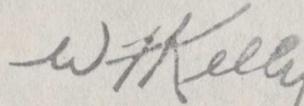
The attached is a copy of the decision and order of the Commissioner in the case of EIKICHI SAKODA.

This order is final unless an appeal is taken to the Board of Immigration Appeals in Washington, D. C., and notice of appeal is filed within 15 days (not including Saturdays, Sundays, and holidays) after receipt of this notice.

If appeal is desired, notice of appeal, forms for which are attached, should be executed in triplicate. Two copies must be filed with the local field office of the Immigration and Naturalization Service in which the proceedings were held and the third copy must be filed directly with the Board of Immigration Appeals, Department of Justice, Washington, D. C.

Any questions which you may have will be answered by the local immigration office nearest your residence.

Sincerely yours,



ASSISTANT COMMISSIONER
ENFORCEMENT DIVISION

REGISTERED MAIL

Enclosures

ADJ-18
7-22-47

COPY FOR ATTORNEY
OR REPRESENTATIVE

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

File: A-5967496 - El Paso (1500-15116)

(APPEAL 15)

In re: EIKICHI SAKODA

APR 10 1951

IN DEPORTATION PROCEEDINGS

IN BEHALF OF RESPONDENT: Wayne M. Collins, Esquire
1701 Mills Tower
220 Bush Street
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: None

DETENTION STATUS: Not detained

The record relates to a native and citizen of Japan, Japanese race, who last entered the United States on February 6, 1943 at San Pedro, California.

DISCUSSION: Respondent was brought to the United States for internment but did not possess an immigration visa or passport or document in lieu thereof. He is married and his wife and five children are natives and resident citizens of Peru. On March 31, 1946 a warrant of arrest in deportation proceedings was issued on the above indicated grounds and served April 1, 1946. On May 2, 1946 an order was entered directing deportation to Japan. On October 6, 1950 the Board of Immigration Appeals withdrew the outstanding order and warrant of deportation and granted the respondent an opportunity to apply for remedial relief. A request has now been received from the respondent and respondent's attorney requesting deportation to Peru or Japan whichever can be arranged sooner. In view of this request an order will be entered directing deportation.

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.

ASSISTANT COMMISSIONER
ADJUDICATIONS DIVISION

Date: _____
(Show date of mailing)

NOTICE OF APPEAL TO THE BOARD OF IMMIGRATION APPEALS
DEPARTMENT OF JUSTICE, WASHINGTON 25, D. C.

IN RE: EIKICHI SAKADO FILE NO. A-5967496 WU
(Respondent's Name)

I desire to appeal from the order of the Commissioner of Immigration and Naturalization, notice of which I received on _____
(Show date)

I (do) desire oral argument before the Board of Immigration Appeals
I (do not) in Washington, D. C.

(Signature of respondent or representative)

(Address)

Note 1. Under regulations, oral argument before the Board of Immigration Appeals on an original appeal from an order of the Commissioner is a matter of right, and, on motions for reconsideration, it is within the discretion of Board of Immigration Appeals to grant oral argument (Title 8, Code of Federal Regulations, Sections 90.3, 90.4, 90.5, 90.11). Please indicate if oral argument is desired.

Note 2. If the appellant is in detention or has been denied admission to the United States at the Canadian or Mexican border, he will not be released from detention nor permitted to enter the country to present oral argument to the Board. In such cases, if representation is desired, the appellant should arrange for someone to present his case to the Board of Immigration Appeals. Unless arrangement is made at the time the appeal is taken, where representation is desired, the Board of Immigration Appeals will not calendar the case for argument.

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

April 17, 1951

Mr. Eikichi Sakoda
and Mr. Koshiro Mukoyama
Seabrook Farms
Bridgeton, New Jersey

Gentlemen:

In accordance with Mr. Eikichi Sakoda's request, the Commissioner of Immigration has ordered Mr. Sakoda's deportation to take effect as soon as possible.

As soon as the Immigration authorities can make provision to transport him to Japan, Mr. Sakoda will be transported there at government expense. In view of that fact, he should be prepared to depart.

I would be grateful to you if you would let me know when he leaves Bridgeton.

Very truly yours,