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TAKAMURA, KIICHIRO

1950-1953

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

April 12, 1950

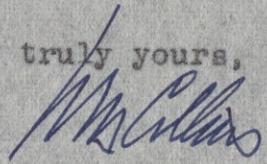
The Board of Immigration Appeals
Department of Justice
Washington 25, D. C.

Gentlemen:

In re: Kiichiro Takamura
Maywood, Illinois

Enclosed find appearance form and application to reopen cause for the purpose of enabling Kiichiro Takamura, Peruvian-Japanese, who lives at Premier Rose Garden, P. O. Box 82, Maywood, Illinois, to apply for a suspension of deportation, together with accompanying affidavit of merits.

Very truly yours,



Copy to:
USI&NS, Chicago, Illinois

BEFORE THE BOARD OF IMMIGRATION APPEALS

BEFORE THE COMMISSIONER OF IMMIGRATION

In the Matter of
KIICHIRO TAKAMURA

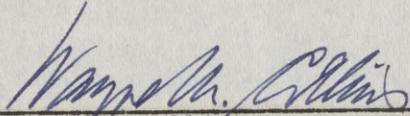
No. _____

APPLICATION TO REOPEN CAUSE FOR A SUSPENSION OF DEPORTATION

----- KIICHIRO TAKAMURA ----- 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.



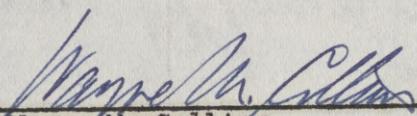
Wayne M. Collins
1701 Mills Tower
San Francisco 4, Calif.

Attorney for Applicant

AFFIDAVIT OF MERITS

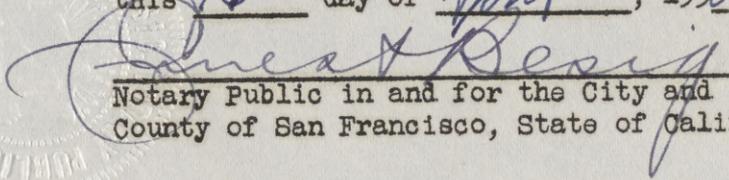
STATE OF CALIFORNIA,)
CITY AND COUNTY OF SAN FRANCISCO.) SS.
-----)

Wayne M. Collins of said City and County and State, being first duly sworn, deposes and says: that he is the attorney for _____ KIICHIRO TAKAMURA, 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 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
1701 Mills Tower
San Francisco 4, Calif.
Attorney for Applicant.



Subscribed and sworn to before me
this 3rd day of April, 1950.


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

FILE

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

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

April 25, 1950.

In re: Kiichiro Takamura
File No. 5967444
ALM:rmc

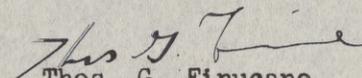
Wayne M. Collins, Esquire
Mills Tower, Bush Street,
San Francisco, California.

My dear Mr. Collins:

This will acknowledge receipt of your communication dated April 12, 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

MAY 24 1950

IN THE MATTER
OF
KIICHIRO TAKAMURA

FILE NO: 5967444

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 order of deportation and warrant predicated thereon be withdrawn.

ALM:ajw

Chairman

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

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

5967444
Kijichiro Takamura

May 25, 1950

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

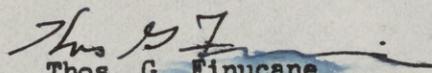
My dear Mr. Collins:

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
Chairman

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Post Office Building
Chicago 7, Ill.

October 15, 1952

File: 0900/47467
JTM

Mr. Kiichiro Takamura,
Premier Rose Garden,
P. O. Box 82,
Maywood, Ill.

Dear Sir:

Pursuant to warrant of arrest served on you on April 1st, 1946, you are advised to appear at 9:00 A M., on October 30th, 1952 in Room 901 Post Office Building, Chicago, Illinois, for a hearing to enable you to show cause why you should not be deported from the United States in conformity with law.

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) that you entered this country at San Pedro, California, on the 6th day of February 1943, and that you are subject to be taken into custody and deported pursuant to the following provisions of law and for the following reasons, to wit: 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 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 not entitled to enter the United States under any exception to paragraph (c), Section 13 thereof, and

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 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.

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

Very truly yours,

For the District Director,

F. M. Symmes
By: F. M. Symmes,
Acting Chief, Hearing Section.

*File
Takamura*

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

October 24, 1952

Mr. Kiichiro Takamura
Premier Rose Garden
P.O. Box 82
Maywood, Ill.

Dear Mr. Takamura:

The Immigration Service has sent you a notice to appear for your hearing on Oct. 30, 1952, at 9:00A. M. in Room 901, Post Office Building, Chicago.

You should appear there promptly and bring with you the Form I-256A and other documents mentioned in that letter.

It will not be necessary for me to be personally present. However, you should ask the hearing officer to forward me a copy of the decision he makes in your case.

Very truly yours,

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Post Office Building
Chicago 7, Illinois

January 26, 1953

File: A5 967 444 - Chicago 0900-47467

In re: KIICHIRO TAKAMURA

IN DEPORTATION PROCEEDINGS

IN BEHALF OF RESPONDENT: Wayne M. Collins, Esquire
Mills Tower, 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, seven years' residence; in
the alternative voluntary departure

DETENTION STATUS: Released on conditional parole

WARRANT OF ARREST SERVED: April 1, 1946

DISCUSSION AS TO DEPORTABILITY:

The respondent is a native and citizen of Japan, sixty years of age. He entered the United States on February 6, 1943, at San Pedro, California, in the custody of the United States Army, being one of a number of persons brought by the Army from Peru to this country for internment during the war. He had migrated from Japan in 1912 to Peru, where he resided until he was brought to the United States. At the time of entry he did not have an immigration visa or a passport or other document in the nature of a passport showing his origin and identity. He is of the Japanese race.

Respondent refused repatriation to Japan and was accorded a deportation hearing at Santa Fe, New Mexico, on April 7, 1946, during which he declined to apply for voluntary departure. According to the record, the government of Peru had denied respondent permission to return to that country. It is, therefore, concluded that he can be considered as an immigrant who has not satisfied the requirements of

law. United States ex rel Sommerkamp v. Zimmerman, 178 F. 2d 645 (C.A. 3, 1949), and United States ex rel Scherrmeister v. Watkins, 171 F. 2d 858 (C.A. 2, 1949). The evidence sustains the first two charges in the warrant of arrest. In view of Section 311 of the Immigration and Nationality Act, the third charge in the warrant of arrest will not be sustained.

DISCUSSION AS TO ELIGIBILITY FOR SUSPENSION OF DEPORTATION:

Respondent is married to a native and citizen of Peru. They have three children born in that country. His two daughters are married and his son operates a restaurant. All are residing in Peru. No one in the United States is dependent upon him for support. He has no close relatives in this country. During the past four years he has been employed in Melrose Park, Illinois, as a boiler man, earning about \$97.00 per week. He states he has \$4,500.00 and he has no close relatives in Japan. The evidence establishes that he has met the residence requirements for suspension of deportation under Section 19(c)(2)(b) of the Immigration Act of 1917.

Respondent desires to return to Peru to join his family but thus far has been precluded from doing so by the Peruvian government. A check of the appropriate local and federal records has failed to reveal an arrest or criminal record. Inquiry has disclosed that the alien has no connection with any subversive groups. Affidavits of witnesses have been produced to establish that the respondent has been a person of good moral character for the preceding five years. On the record the alien has established his eligibility for suspension of deportation.

Until May 6, 1952, the respondent, as a matter of policy in the exercise of discretionary relief, would not be granted suspension of deportation. However, on that date the Acting Attorney General held that discretionary relief in the form of suspension of deportation may be authorized in the case of an alien brought to the United States as an internee, even though he has no family ties in this country, when the facts of the case indicate that deportation would result in undue hardship, it appearing that the alien has been in the United States for the past ten years, is unable to return to the country wherein his last place of lawful residence was located and the alien has been absent for twenty-nine years from the country of his origin and citizenship. Matter of W., Int. Dec. No. 225.

Pursuant to an order by the Board of Immigration Appeals of May 24, 1950, the hearing in this matter was reopened at Chicago, Illinois, on October 30, 1952, to permit respondent to apply for relief from deportation. On October 30, 1952, the Hearing Officer was not aware of the Acting Attorney General's decision of May 6, 1952, and, therefore, at that time did not request there be made the usual investigation covering alien's residence at Melrose Park, Illinois. Subsequently, a report of such investigation was requested and received. It is entirely favorable to the respondent and, therefore, has been made part of the record of the reopened proceeding as Exhibit 17. Respondent's file contains an application for suspension of deportation on Forms I-256 and I-55

executed on May 22, 1950.

FINDINGS OF FACT:

Based upon the evidence of record, it is found:

1. That respondent is an alien, a native and citizen of Japan, sixty years of age;
2. That respondent last entered the United States on February 6, 1943, at San Pedro, California;
3. That at the time of entry respondent was being conveyed from South America to this country by the United States Army for interment in the United States during the war;
4. That respondent did not avail himself of the opportunity to leave the United States to avoid deportation;
5. That respondent is an immigrant who at the time of entry was not in possession of a valid immigration visa;
6. That at time of entry respondent did not present a passport or other official document in the nature of a passport showing his origin and identity;
7. That respondent is of the Japanese race.

CONCLUSIONS OF LAW:

Based upon the foregoing findings of fact, it is concluded:

1. That under Sections 13 and 14 of the Immigration Act of May 26, 1924, respondent is subject to deportation on the ground that at the time of entry he was an immigrant not in possession of a valid immigration visa and not exempt from the presentation thereof by said Act or regulations made thereunder;
2. That under the Passport Act approved May 22, 1918, as amended, and the Act of February 5, 1917, the respondent is subject to deportation on the ground that at the time of entry he did not present an unexpired passport or official document in the nature of a passport issued by the government of the country to which he owes allegiance, or other travel document showing his origin and identity as required by Executive Order in effect at the time of entry;

3. That under Section 311 of the Immigration and Nationality Act respondent is not ineligible to citizenship.

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 Congress approves the suspension of the alien's deportation, the proceedings be cancelled 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.

IT IS FURTHER ORDERED that in the event Congress fails to take action approving suspension of the alien's deportation, the alien shall be granted the privileges of voluntary departure at his own expense in lieu of deportation and that if the alien, after notification, failed to depart when and as required, the privilege of voluntary departure shall be withdrawn without further notice or proceedings and the alien shall be deported from the United States in the manner provided by law on the charges contained in the warrant of arrest, except on the following charge: the Immigration Act of May 26, 1924, as amended, in that, he is an alien ineligible to citizenship and was not entitled to enter the United States under any exception of paragraph (c), Section 13 thereof.

IT IS FURTHER ORDERED that this case be certified to the Assistant Commissioner, Inspections and Examinations Division, for review.



Jerome T. McGowan, Special Inquiry Officer

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

NOTICE OF CERTIFICATION

IN THE MATTER
OF

FILE NO. A5 967 444

DATE: January 28, 1953

KIICHIRO TAKAMURA

TO: Wayne M. Collins, Esquire

Mills Tower, 220 Bush Street
(ADDRESS)

San Francisco, California

Please take notice that the above entitled matter has been certified to the Assistant Commissioner, Inspections and Examinations Division, for review.

You may submit to this office within ten days after receipt of this notice a brief or other written statement for consideration by the Assistant Commissioner, Inspections and Examinations Division.

F. M. Symmes

~~District Director or Officer in Charge~~

F. M. Symmes
Acting Chief, Inquiry Section

VIA REGISTERED MAIL
RETURN RECEIPT REQUESTED

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

POST OFFICE BUILDING
CHICAGO 7, ILLINOIS

January 28, 1953

R 2/2/53
PLEASE REFER TO THIS FILE NUMBER

A5 967 444
Chicago File 0900/47467

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

Dear Sir:

Enclosed is a copy of the decision of the Special Inquiry Officer in the case of Kiichiro Takamura, together with notice that this matter has been certified to the Assistant Commissioner, Inspections and Examinations Division, for review.

Very truly yours,

For the District Director

By: *F. M. Symmes*

F. M. Symmes
Acting Chief, Inquiry Section

VIA REGISTERED MAIL
RETURN RECEIPT REQUESTED

enc.

July 3, 1953

Mr. Kichiro Takamura
Premier Rose Garden
P.O. Box 82
Maywood, Illinois

Dear Mr. Takamura:

I am still awaiting a decision from the Assistant Commissioner, Inspections and Examinations Division, in your case which was certified to him to review. If his decision is favorable in your case, the matter will be referred to Congress for approval. As soon as I receive the decision, I shall inform you by letter.

Very truly yours,

3030 S. E. 58th Avenue
Portland, Oregon
August 20, 1953

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

Dear Mr. Collins:

I am enclosing a bank draft for \$100.00 drawn by Melrose Park Money Exchange, Melrose Park, Illinois in favor of Mr. Yasuhiko Ohashi and endorsed to you. The remittance is made for payment of Mr. Takamura's retainer fee.

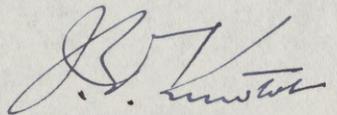
He found it difficult to pay additional sum of the retainer fee at the present time; however, Mr. Takamura and I will appreciate it if you will agree to handle his case with the payment of \$100.00.

I have received a letter from Mr. Ohashi explaining Mr. Takamura's above situation and asked me to relay his gratitude for your past assistance and also begging for further help in early settlement of his case.

Kindly acknowledge receipt of the enclosed sum to Mr. Takamura through Mr. Ohashi at your earliest convenience.

Kindest regards.

Sincerely,


I. E. Kurotobi

IEK:ko

cc: Mr. Manuel Takamura
Mr. Y. Ohashi