United States of America

DEPARTMENT OF JUSTICE IMMIGRATION AND NATURALIZATION SERVICE

May 21, 2002

CERTIFICATION

BY VIRTUE OF the authority vested in me by Title 8, Code of Federal Regulations, Part 103 a regulation issued by the Attorney General pursuant to Section 103 of the Immigration and Nationality Act,

I HEREBY CERTIFY that the annexed documents are originals, or copies thereof, from the records of the said Immigration and Naturalization Service, Department of Justice, relating to File No. A73 142 059, of which the Attorney General is the legal custodian by virtue of Section 103 of the Immigration and Nationality Act.

Richard Gottlieb Officer in Charge Charlotte, North Carolina

> GOVERNMENT EXHIBIT 39(A)

Immigration and Naturalization Service (INS)

	DO N	101 WHITE IN I	HIS BLOCK					
Case ID#	Action Stamp		Fee Stamp					
A#	-							
G-28 or Volag#	1							
Section of Law	- .	•	Eligibility Und	er Sec. 245				
☐ Sec. 209(b), INA			☐ Approved					
☐ Sec. 214(d), INA		·	1	of Principal Ali	en			
☐ Sec. 13, Act of 9/11/57			☐ Special Im					
☐ Sec. 245, INA	L		☐ Other					
☐ Sec. 249, INA	Country Chargeable		Preference					
A. Reason for this ap	plication							
am applying for lawful permanent			that applies)			چ.	oy a.	
	s immediately available to me							٠, ۵
	eady been approved for me (app	proval notice is attach	ed)					
							/. .*	* * * * * * * * * * * * * * * * * * *
. ☐ I entered as the flance(e) of	a U.S. citizen and married with	nin 90 days (approval	notice and marr	iage certificate	are attached).	4		•
. 🗀 I am an asylee eligible for a	djustment						ω.	
. Other								
3. Information about	you						. •	-
Name (Family name in CAPS)	(First)	(Middle) 11.	On What date	did vou last en	ter the U.S.?			
DARWICHE	ALI	HUSSEIN		ember 1		1		
Address (Number and Street)	(Apartment Number)		Where did you	last enter the	U:S.? (City an	L d State)		
42-29 77th Street							_	
(Fown or City)		ostal Code) 13.	What means o	York C	Lty, NE	W Yor	:k	
	New York 113				use: (Flanc.	car, etc.)		
3: Place of Birth (Town or City)	(State/Country)		Plan		111	- 40 0		
Surbine		14/	Were you insp		immigration	officer?		
4. Date of Birth 5. Sex	Lebanon 6. Marital Status	/ <u>.</u> _	Yes 🗆					
UMO/Dav/Yr)	_	//	In what status					
☐ Male	Married Single		(Visitor, student without inspection	on, etc.)	i, crewman, te	emporary wo	orker,	
12/18/70				coled	·			
7. Social Security Number	8. Alien Registration Numbe		Give your name		it appears on	your Arriv	al/Depart	, פונ
Not Applicable	Not Applica	<u>able</u>	Record (Form I	-94).				. 4.6
9. Country of Citizenship			DARV	VICHE, A	ALI HUS	SEIN		
Lebanon			Arrival/Departu	re Record (1-94)	Number	18. Visa I	Number	
. Have you ever applied for perma	ment resident status in the U.S			ا ماماء	1-1-1-1		/	~
Yes X No	Constant diseases	3		0 2 1 2	1 · 1 ·	<u> </u>	 	
(If Yes, give the date and place of	tiling and tinal disposition)	19.	At what Consu	late was your n	onimmigrant	visa issue	q	i ate Mo/Day/\
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							`	
. Have you ever been married befo		<u> </u>						
. Have you ever been married befo			(Country of	citizenship)		(Date mari	riage ende	ed)
. Have you ever been married befo			(Country of	citizenship)		(Date marr	riage ende	ed)
. Have you ever been married befo			(Country of a	citizenship)		(Date man	riage ende	ed)
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. Have you ever been married before Yes. (Names of prior humans). (Names of prior humans). Has your husband/wife ever been	usbands/wives) n married before?	2 No	(Country of o			(Date man		
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. Have you ever been married before Yes. (Names of prior his	n married before? Yes usbands/wives)		(Country of c	citizenship)	CATED Sent	(Date marr	riage ende	d)*

Name	Detetionable	Place of Birth	Date of Birth	Country of Residence	Apply With Y	ing
	Relationship		0.40.460		Yes	∑ No
iane Martinez	<u> Wife</u>	USA	8/9/62	USA	- =	IX No
essam Darwiche	Brother	<u>Lebanon</u>	<u>unknown</u>	Lebanon	_ ☐ Yes ☐ Yes	IX No
asam Darwiche	Brother	Lebanon	<u>unknown</u>	Lebanon	_	IX No
ohamed Darwiche	Brother	Lebanon	<u>unknown</u>	<u>Lebanon</u>	_ 🗌 Yes	IX No
assan Darwiche	Sister - W	Lebanon	<u>unknown</u>	<u>Lebanon</u>	_ 🗌 Yes	
anna Mouzzanr	Sister	Lebanon	<u>unknown</u>	Canada	_	X No
	Sister	Lebanon	unknown	Lebanon	_ 🗌 Yes	⊠ No
lanan Naisa	Sister	Lebanon	<u>unknown</u>	Lebanon	_ 🗌 Yes	∑x No
iaisa				,	_ ☐ Yes ☐ Yes	☐ No
ist your present and past member United States or in any other count	and at the co	very organization, associ	ation, fund, foundation, does not apply, write "N	party, club, society o	r similar group	in the
					19 to	19
					19to	19
None			//		19 In	19
			<u>/</u> /		19 10	19
		//				19
						19
		_//			19 10	
Have you ever, in or outside the U						,
•		wonted?			Yes	ΚN
 a) knowingly committed any crime to 	r which you have not been a	ilesieu:		200		
b) been arrested, cited, charged, ind	icted, convicted, fined, or imp	prisoned for breaking or vi	olating any law or ordina	iice,	☐ Yes	ΚĪΝ
including traffic regulations? c) been the beneficiary of a pardon.					☐ Yes	ΣN
•						
•						
Have you ever received public ass		ncluding the U.S. Govern	ment or any state, counts) you used	(ty, city or municipali	iy?	
Have you ever received public ass	sistance from any source, in lain, including the name(s) an	ncluding the U.S. Govern	ment or any state, counts) you used)	τίγ, city or municipali		
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Your Certification I certify, under penalty of perjury under the laws of the United States of America, that the above information is true and correct. F release of any information from my records which the Immigration and Naturalization Service needs to determine eligibility for the Signature Date	any knowledge. Y/14/94 (Date) D Number examination) plication that I am si made by me or at n	igning
Your Certification I certify, under penalty of perjury under the laws of the United States of America, that the above information is true and correct. Felease of any information from my records which the immigration and Naturalization Service needs to determine eligibility for the Signature Date	any knowledge. Y/14/94 (Date) D Number Examination) plication that I am simade by me or at number	igning
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Your Certification	AL	
		O11.
		UII.
willfully falsifying or concealing a material fact or using any false document in submitting	knowingiy a This application	na on
Penalties: You may, by law, be fined up to \$10,000, imprisoned up to five years, or both, for	· lenguingle o	
27. Completed Form G-325A (Biographic Information) is signed, dated and attached as part of this application. Print or type so that all attached because applicant is under 14 or	ation) is not over 79 years of a	ae.
If you answered Yes to any question above, explain fully (Attach a continuation sheet if necessary):		
U. Have you committed or have you been convicted of a crime involving moral turpitude?	☐ Yes	⊠ No
T. Have you left the United States to avoid military service in time of war or national emergency?	☐ Yes	K No
without passing Parts I and II of the National Board of Medical Examiners Examination (or an equivalent examination)?	☐ Yes	⊠ No
S. Are you a medical graduate coming principally to work as a member of the medical profession,		
R. Are you a former exchange visitor who is subject to, but has not complied with, the two-year foreign residence requirement?	☐ Yes	E No
Q: Have you procured or have you attempted to procure a visa by fraud or misrepresentation?	☐ Yes	80 W
from the United States, or have you at any time been removed from the United States at government expense?	☐ Yes	\$2] N/6
O. Are you a polygamist or do you advocate polygamy? P. Have you been excluded from the United States within the past year, or have you at any time been deported	☐ Yes	₹ Ng
N. Are you likely to become a public charge?	☐ Yes	IX Ng
M. Are you a pauper, professional beggar, or vagrant?	☐ Yes	⊠ No
L. Do you have a physical defect, disease, or disability affecting your ability to earn a living?	Yes	∑ No
	☐ Yes	X Ne
or any dangerous contagious disease?		
K. Are you afflicted with psychopathic personality, sexual deviation, mental defect, narcotic drug addiction, chronic alcoholism,	☐ Yes	E No
J. Are you mentally retarded, insane, or have you suffered one or more attacks of insanity? K. Are you afflicted with psychopathic personality, sexual deviation, mental defect, narcotic drug addiction, chronic alcoholism,	☐ Yes	⊠ 6
on the ground of alienage and have you been relieved or discharged from that training or service? J. Are you mentally retarded, insane, or have you suffered one or more attacks of insanity? K. Are you afflicted with psychopathic personality, sexual deviation, mental defect, narcotic drug addiction, chronic alcoholism,		
J. Are you mentally retarded, insane, or have you suffered one or more attacks of insanity? K. Are you afflicted with psychopathic personality, sexual deviation, mental defect, narcotic drug addiction, chronic alcoholism,	☐ Yes	مرا کا

DO NOT WRITE IN THIS BLOCK	- FOR EXAMINING OFFICE ONLY
Case ID# Action Stamp	Fee Stamp
A#	
	1
G-28 or Volag #	·
Section of Law:	Petition was filed on: (priority date)
201 (b) spouse 203 (a)(1) 201 (b) child 203 (a)(2)	Personal Interview Previously Forwarded
201 (b) parent 203 (a)(4)	Pet. Ben. "A" File Reviewed Stateside Criteria
203 (a)(5) AM CON:	Field Investigations
Remarks:	204 (a)(2)(A) Resolved 204 (h) Resolved
A. Relationship	
	ated by adoption? 3. Did you gain permanent residence through adoption?
	X No
B. Information about you	C. Information about your alien relative
Name (Family name in CAPS) (First) (Middle)	Name (Family name in CAPS) (First) (Middle)
DARWICHE DIANE	DARWICHE ALI HUSSEIN
2. Address (Number and Street) (Apartment Number) 42-29 77th Street 1st Fl.	2. Address (Number and Street) (Apartment Number) 42-29 77th Street 1st Fl.
(Town or City) (State/Country) (ZIP/Postal Code) Elmhurst, New York 11373	(Town or City) (State/Country) (ZIP/Postal Code) Elmhurst, New York 11373
3. Place of Birth (Town or City) (State/Country) New York, New York USA	3. Place of Birth (Town or City) (State/Country) Surbine, Lebanon
4. Date of Birth 5. Sex 6. Marital Status	4. Date of Birth 5. Sex 6. Marital Status
(Mo/Day/Yr) ☐ Male	(Mo/Day/Yr) Male Married ☐ Single Dec. 18, 1970 Female ☐ Widowed ☐ Divorced
7. Other Names Used (including maiden name) nee: Dian Martinez	7. Other Names Used (including maiden name) None
8. Date and Place of Present Marriage (if married) February 17, 1994 - Queens, New York	8. Date and Place of Present Marriage (if married) February 17, 1994 - Queens, New York
9. Social Security Number 10. Alien Registration Number (if any) 125-62-7398 Note: Applicable	9. Social Security Number 10. Alien Registration Number (if any) None None
11. Names of Prior Husbands/Wives 12. Date(s) Marriages(s) Ended None	11. Names of Prior Husbands/Wives 12. Date(s) Marriages(s) Ended None
13. If you are a U.S. citizen, complete the following:	13. Has your relative ever been in the U.S.?
My citizenship was acquired through (check one)	Yes No
☐ Birth in the U.S.	14. If your relative is currently in the U.S., complete the following: He or
☐ Naturalization (Give number of certificate, date and place it was issued)	she last arrived as a (visitor, student, stowaway, without inspection, etc.) Parolee
Parents	Arrival/Departure Record (I-94) Number Date arrived (Month/Day/Year)
Have you obtained a certificate of citizenship in your own name?	November 18, 199
☐ Yes ☐ No	Date authorized stay expired, or will expire, as shown on Form I-94 or I-95
If "Yes", give number of certificate, date and place it was issued	
14a. If you are a lawful permanent resident alien, complete the following	15. Name and address of present employer (if any)
Date and place of admission for, or adjustment to, lawful permanent residence,	Date this employment began (Month/Day/Year)
and class of admission:	
Not Applicable	16. Has you relative ever been under immigration proceedings?
4b. Did you gain permanent resident status through marriage to a United	Yes No Where When
States citizen or lawful permanent resident? Yes Not Applicable	☐ Exclusion ☐ Deportation ☐ Recission ☐ Judicial Proceedings
INITIAL RECEIPT	RESUBMITTED RELOCATED COMPLETED
\$77	Rec'd Sent Approved Denied Returned
Form I-130 (Rev. 10/01/89) Y	

Address in the United States where your relative intends to the following were seen to United States where your relative intends to the following were seen to the United States where your relative sources of the United States where your relative intends address abroad ("Counce Off)	(ívame)	itidran of your relative (if your relative		
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Check the appropriate box below and give the information required for the box you checked: Your relative will apply for a visa abroad at the American Consulate in (City) (Country) R Your relative is in the United States and will apply for adjustment of status to that of a lawful permanent resident in the office of the Immigration and Naturalization Service at New York, New York (State) (State) (If your relative is not eligible for adjustment of status, he or she will reply for a visa abroad at the American Consulate in (City) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) (Country) ((/- / / / /	(' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '		
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Cony (Country) EYour relative is in the United States and will apply for adjustment of status to that of a lawful permanent resident in the office of the Immigration and Naturalization Service at New York, New York (State). If your relative is not eligible for adjustment of status, he or she will apply for a visa abroad at the American Consulate in City) (Country) (Designation of a consulate outside the country of your relative's last residence does not guarantee acceptance for processing by that consulate. Acceptance is at the discretion of the designated consulate.) Other Enformation If separate partitions are also being submitted for other relatives, give names of each and relationship. NOT APPLICABLE Have you ever filled a petition for this or any other elien before? Yes No If "Yes," give name, place and date of filing, and result. It is presented partitions when family relationships and selectionships are selectionships and selectionships are selectionships are selectionships are selections than the validity of documents. This this seeks mininal prosecutions when family relationships are selectionships and selection of the interior of documents. This this seeks mininal prosecutions when family relationships are selected to obtain vices. The lift's investigates claimed relationships are selected to obtain vices. The lift's investigates claimed relationships are selected to obtain vices. The lift's reverse of this purpose of exacting any production of the immigration laws and you may be filled upon may be filled upon the filled purpose of exacting any production of the immigration facts and you may be filled upon the filled partition. The Cartification: Contriby, under panetty of partition, the relationships and willfully falleflying or concealing a material fact ingested anythistic selection from my records which is migration asychibiture lization. Pervise needs to determine above a dealers that it is besset on all yfermylion of which is here any knowledge. Plint Nates MARK S. DRUCKER (Address				ed:
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Print Name MARK S.DRUCKER (Address) 37-06 82nd St. Jackson Hts., New York, 11372	Signature Signature	Maristike.	Date	Phone Number
Print Name MARK S.DRUCKER (Address) 37-06 82nd St. (Signature) (Date) 4//4/91 New York, 11372				
Print Name MARK S.DRUCKER (Address) 37-06 82nd St. (Signature) 2 (Date) 4/1/9 1 New York, 11372				
New York, 11372				all information of which I have any knowledge.
New York, 11372	Print Name MARK S.DR	UCKER (Address) 37-06 82nd	St. (Signature) 2	1/1 /9 y
New York, 11372 G-28 10 Number	•			(Date)
		New York,	11372	3-28 /D Number
	•		·	



NOTICE TO PERSONS FILING FOR SPOUSES IF MARRIED LESS THAN TWO YEARS

Pursuant to section 216 of the Immigration and Nationality Act, your alien spouse may be granted conditional permanent resident status in the United States as of the date he or she is admitted or adjusted to conditional status by an officer of the Immigration and Naturalization Service. Both you and your conditional permanent resident spouse are required to file a petition, Form I-751, Joint Petition to Remove Conditional Basis of Alien's Permanent Resident Status, during the ninety day period immediately before the second anniversary of the date your alien spouse was granted conditional permanent residence.

Otherwise, the rights, privileges, responsibilities and duties which apply to all other permanent residents apply equally to a conditional permanent resident. A conditional permanent resident is not limited to the right to apply for naturalization, to file petitions in behalf of qualifying relatives, or to reside permanently in the United States as an immigrant in accordance with the immigration laws.

Failure to file Form I-751, Joint Petition to Remove the Conditional Basis of Alien's Permanent Resident Status, will result in termination of permanent residence status and initiation of deportation proceedings.

NOTE: You must complete Items 1 through 6 to assure that petition approval is recorded. Do not write in the section below item 6.

	•			
1.	Name of relative (Family name in CAPS		(Middle)	CHECKLIST
	DARWICHE		ISSEIN	••
2.	Other names used by relative (Including	g maiden name)	•	Have you answered each
	none		:	question?
3.	Country of relative's birth 4	. Date of relative's	s birth (Month/Day/Year)	Have you signed the petition?
	LEBANON	December '	18_1970 :	Have you enclosed:
5.	Your name (Last name in CAPS) (First)	(Middle) 6.	Your phone number •	nave you enclosed.
1	DARWICHE DIANE	710	3-672-3064	☐ The filing fee for each
		ECTION 201 (b)(spouse)	DATE PETITION FILED	petition? Proof of your citizenship or
] 201 (b)(child)		lawful permanent residence? All required supporting
	. [] 201 (b)(parent)] 203 (a)(1)	☐ STATESIDE	documents for each petition?
] 203 (a)(2)	CRITERIA GRANTED	
] 203 (a)(4)	:	If you are filing for your
			SENT TO CONSUL AT:	husband or wife have you

included:

☐ Your picture?

☐ His or her picture?☐ Your G-325A?☐ His or her G-325A?

(Family name) (First name) DARWICHE ALI		(Middle name) HUSSEI	N	MALE BIF	RTHDATE (Mo	Day-Yr.) N	ATIONALITY EBANON	FILE	NUMBER	-/2 ~
							EDANON			·
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MOTHER (Maiden name) Darwiche.	Rasmie	h S	urb	ine. Le	banon				ebanor	1
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MARTINEZ		DIANE	8	/9/62 t	J.S.A.		2/17/1	994	New Y	ork'
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32-34 93rd Street					New York USA		June	92	July	93
Bay 86th Street	Broo	olyn	N	ew York	: US	SA .	April	91	June	92
		-								
										
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APPLICANT: BE SURE TO PUT YOUR NAME AND ALIEN REGISTRATION NUMBER IN THE BOX OUTLINED BY HEAVY BORDER BELOW.

COMPLETE THIS BOX (Family name)

(Given name)

(Middle name)

(Ailen registration number)

DARWICHE

ALI

HUSSEIN

-NONE A73142059



FORM G-325A BIOGRAPHIC INFORMATION



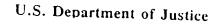
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1600 Sedgwick Ave	Bronx	New York			94 85		T
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WIFE			Surbir	13 / 1 7 / 0	4	Quee	
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MOTHER (Maiden name) Rodriguez,	Carmen Pu	erto Rico		Deceas		YOLK	
FATHER Martinez, I		erto Rico	,	Bronx,		-	V
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nee: Martinez			ork City	II C A	(If a	25-62	_720
ALL OTHER NAMES USED (Including names by previous	rs marrianes)		UNTRY OF BIRTH	USA	An soc	ot apr	olica V NO
DARWICHE DIANE	(Initialization		1/9/1962				
(Family name) (First name)	(Middle name) MALE B	IRTHDATE (MoDay	-Yr.) NATIONALITY	FILE	NUMBER	

Memorandum



J.	1-13142019		
Subject	DARWICHE, ALI	Date 8/23 /9	4
	REQUEST FOR "STOKES" INTERVIEW		
то У	JACKSON, SIE 1/130 UNIT	From I. Williams, SEC. 245	SIE
	Forwarded herewith is relating file "Stokes" interview.		
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immigration and Naturalization Service

26 Federal Plaza

New York, NY 10278

APR 2 6 1996

File Number:

ali H. Darwiche 42-29 7786 Street 1.881. Elmbart 24 1/373

Dear Sir/Madam:

You are hereby notified that parole previously authorized in your case has been revoked pursuant to Title 8, Code of Federal Regulations, Section 212.5(d).

Inasmuch as the time for which your parole was authorized, and its purpose has been accomplished, and there are no emergent, humanitarian or public interest reasons which warrant your continued presence in the United States, your parole has been revoked and efforts will be made to effect your departure from the United States.

Any further proceedings in your case will be conducted pursuant to Sections 235 or 236 of the Immigration and Nationality Act, as

Sincerely,

Edward J. McElger District Director

New York District

UNITED STATES DEPARTMENT OF JUSTICE Immigration and Naturalization Service

26 Federal Plaza

New York, New York 10278 APR 26 1996

Dione Darwiche

Refer to this File Number: A 73 142 059

42-29 77on Street 1819. E/wheret, my 1/373

It is ordered that your Petition to Classify Status of Alien X be denied because: Relative for Issuance of Immigrant Visa be revoked because:

SEE ATTACHMENT

You may, if you wish, appeal this decision. You must submit such an appeal to THIS OFFICE with a filing fee of \$110.00. If you do not file an appeal within the time allowed, this decision is final. Appeal in your case may be made to:

The Board of Immigration Appeals (Board) in Falls Church, Virginia. It must reach this office within 15 calendar days from the date this notice is served (18 days if this notice is

The Administrative Appeals Unit (AAU) in Washington, D.C. must reach this office within 30 calendar days from the date this notice is served (33 days if this notice is mailed).

DO NOT send your appeal directly to the Board or to the AAU. Please direct any questions you may have to the Immigration and Naturalization Service office nearest your residence.

CC:

. Edward J. McElroy District Director

Enclosure(s)

Form I-292 (Rev. 10-26-90) N

The visa petition you filed on An 18 1994 for Ala H. Danwell, your spouse, seeks to confer immediate marriage to you, a citizen of the United States. The beneficiary simultaneously filed an application for adjustment of status.

You and your spouse were requested to appear at this office on Stokes v. INS. No. 74 Civ. 1022 (S.D.N.Y. November 10, 1976). You failed to appear for the interview. No reason was given for your nonappearance.

In visa petition proceedings, the burden of proof to establish eligibility for benefits sought under immigration laws rests upon the petitioner, <u>Matter of Brantigan</u>, 11 I&N Dec. 493. You have failed to sustain that burden. Therefore, the petition is denied.

UNITED STATES DEPARTMENT OF JUSTICE IMMIGRATION AND NATURALIZATION SERVICE 26 Federal Plaza New York, NY 10278

All H. Danwiche 42-29 THE Street 150F1 EMhurst my 11313

APR 2 6 1996.

A 73 142 059

DECISION

Upon consideration, it is ordered that your application or status as a permanent resident be denied for the following reason:

SEE ATTACHED

You will be further advised of procedures to effect your departire from the United States.

Sincerely,

Edward J. McElrox

District Director New York District

cc:

D-

Any Employment Authorization which you have been issued is hereby

ATTACHMENT

The applicant has applied for the benefits of Section 245 of the Immigration and Nationality Act, as amended.

Section 245 of the Act provides in pertinent part:

(a) The status of an alien who was inspected and admitted or paroled into the United States may be adjusted by the Attorney General in her discretion and or under such regulations as she may prescribe, to that of an alien lawfully admitted for permanent residence if... (2) the alien is eligible to states for permanent residence, and is admissible to the United immediately available to him at the time his application is filed.

Section 201 of the Act enumerates those aliens eligible to be issued immigrant visas or who may otherwise acquire the status of an alien lawfully admitted to the United States for permanent residence. The visa petition supporting the application for permanent residence has been denied. In the absence of any other indication that the applicant is entitled to any status as outlined considered ineligible for the benefits of Section 245 of the Immigration and Nationality Act, as amended. Accordingly, this

Any Employment Authorization which you have been issued is hereby terminated