

Written by

Tuesday, 21 December 2010 10:38 - Last Updated Tuesday, 21 December 2010 10:45

By JOSEPH G. LARIOS

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Superb Education of Harvard Magna cum Laude Graduate Now Taking Up Doctorate May Not Prevent His Deportation to the Philippines

CHICAGO (*jGLi*) – The failure of the U.S. Senate to pass the DREAM Act last Saturday dashed the hope of a young Filipino magna cum laude graduate of Harvard University to stay in America.

Mark Farrales, 31, is now hoping that the two senators from California and a congressman in San Francisco

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Valley

in

California

will co-sponsor a private bill in Congress that could grant him citizenship.

Although a long shot, the filing of the private bill by Senators Dianne Feinstein (D-Calif.) and Barbara Boxer

(D-Calif.) and Rep.

Brad Sherman

(D-27th- Sherman Oaks) will buy him time to seek other means to stay in America.

Reached for comment, Mr. Sherman's spokesman Matt Farrauto told this reporter he was going to call back.

According to the *Los Angeles Times*' Sunday edition, Mr. Farrales has been surprised by knocks in his door in Reseda, Los Angeles, California, home by U.S. Immigration Customs Enforcement who arrested him "for being in the country illegally."

Farrales arrived in the U.S. with his parents in 1990 when he was ten-years old just days before his father, Jaime Farrales, a lawyer, was shot outside their home in Quezon City

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in the
Philippines

Reached for comment, an aide of Sen. Dianne Feinstein (Dem.-CA), told this reporter over the phone that the senator's office has asked some documents from Mr. Farrales' lawyer and they will continue to review the case.

The DREAM Act Could Have Ended Farrales' Nightmare

Farrales would have been a beneficiary of the Development, Relief and Education for Alien Minors (the DREAM) Act, a legislation that would have extended a path to citizenship to illegal and deportable alien students who graduate from US high schools, who are of good moral character, arrived in the U.S. illegally as minors, and have been in the country continuously and illegally for at least five years prior to the bill's enactment, the opportunity to earn conditional permanent residency if they complete two years in the military or two years at a four-year institution of higher learning.

But the bill introduced and re-introduced in the U.S. Senate since 2001 lost by five votes, 55-41, last Saturday to muster the 60 supermajority votes that will overcome filibuster by senators opposed to the bill. Five Democrats joined Republicans in the filibuster, including Montana

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Sens. Max Baucus and Jon Tester, North Carolina Sen. Kay Hagan, Nebraska's Ben Nelson and Mark Pryor of Arkansas

. Their votes could have passed the bill by a simple majority vote.

The bill earlier passed the House by a vote 216 to 198.

Farrales would have been one of the more than 1.7-million youngsters who would have benefited by the passage of the DREAM Act.

Farrales' father, Jaime, who survived the attack, was a prominent lawyer who often spoke out against government corruption and had just announced a bid for the Philippine Congress.

His family came to the U.S., using visitor's visas but later sought political asylum to extend their stay. The family was fleeing the attackers of his father, who died in 2006. His father's death also led to denial of their political asylum.

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But two of his sisters legalized their status after marrying U.S. citizens. The third is also marrying an American citizen. One sister also petitioned their mother to legalize her stay.

Farrales became a valedictorian at Belmont High School, graduated magna cum laude from Harvard with a degree in government, earned a master's degree at University of California in San Diego and was pursuing a doctorate there when he was arrested.

A deportation order and a warrant of arrest were issued against Farrales.

Reached for comment, Farrales' lawyer, Leon Hazany, e-mailed this reporter, saying, "As you may know, I am bound by the attorney-client privilege not to divulge certain information. I will forward your e-mail to his family and let them know you are trying to reach them."

According to immigration authorities, the immigration courts have "consistently held that Mr. Farrales does not have legal basis to remain in the United States. He remains in ICE custody while the agency makes preparations to carry out the removal order."

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Atty. Hazany was quoted by the *Los Angeles Times* as saying that the “family's former attorneys botched Farrales' father's case and gave Farrales poor advice, landing him in this predicament.

“Before leaving for Harvard, Farrales asked the attorneys if he should pursue his own political asylum application or apply for a student visa. They told him neither was available to him because he was included in his father's case.”

Bobby Reyes, the Los Angeles-based MabuhayRadio.com online editor, suggested that “Filipino-American lawyers should have done more in providing legal services to their brethren such as Mark Farrales and other legal causes in the community.”

Mr. Hazany will ask the Board of Immigration Appeals to reopen Farrales' case in the event a private bill will be introduced in U.S. Congress. He hopes the bill will delay Farrales' deportation as he seeks other relief to legalize his stay. # # #

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