

Written by Bobby M. Reyes

Sunday, 19 December 2010 10:47 - Last Updated Sunday, 19 December 2010 13:26

Non-Filipino Lawyers Did Not Handle Right the Poster Boy's Family Petition for Political Asylum But His Case Is Another Argument for a "Phil-Am Legal Defense and Educational Foundation" (PALDEF)

{xtypo_quote} We're not going to pass the DREAM Act or any other legalization program until we secure our borders. It will never be done as a stand-alone. It has to be part of comprehensive immigration reform – Sen. Lindsey Graham {/xtypo_quote}

Thus, Sen. Lindsey Graham (R-S.C.) told "the bill's youthful supporters that they were wasting their time trying to persuade Republicans to support the DREAM bill absent a greater commitment to securing the U.S. border with Mexico." The United States Senate failed to pass the DREAM Act.

The *Los Angeles Times* has a story about Senator Graham's comments and more, which it

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headlined [Dream Act's failure in Senate derails immigration agenda](#) . It is written by Lisa Mascaro and James Oliphant of the *Los Angeles Times* Washington Bureau.

URL: <http://www.latimes.com/news/nationworld/nation/la-na-dream-act-20101219,0,3547044.story>

Mark Farrales, a 31-year-old Filipino overstaying alien in San Diego County, California, may yet become the poster boy of the intended beneficiaries of the DREAM Act. The *Los Angeles Times* tells in today's *Sunday Times* the predicament of Mark Farrales, a high-school valedictorian in Belmont High School in Los Angeles, a magna-cum-laude graduate from Harvard University with a degree in government and a master's degree from the University of California's San Diego campus, where he is pursuing a doctorate. To read more about the plight of Mark Farrales, please read Stephen Ceasar's article, [UC San Diego grad student scrambling to avoid deportation](#)

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URL: <http://www.latimes.com/news/local/la-me-deport-20101219,0,3308780.story>

Another Argument for the PALDEF and the Case of the Filipino Death Convict in Nevada

Stephen Ceasar reports that Mark Farrales may be a victim of bad legal advice from his non-Filipino attorneys in California.

It is true that American lawyers of Filipino descent have formed the Philippine-American Bar Association of Southern California (PABASC). But the 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.

In 1994, this writer wrote to the officers of the PABASC and suggested to them to organize a "Philippine-American Legal Defense and Educational Foundation (PALDEF)." The "PALDEF" (so named for want of a better name) was suggested to be patterned after the highly-successful "Mexican-American Legal Defense and Educational Foundation (MALDEF)." This was after I learned of a Filipino immigrant who was facing capital punishment for committing allegedly two murders in Nevada. The Filipino immigrant could not afford a lawyer and a public defender represented him.

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In 2000, I sent the same suggestion to the National Federation of Filipino-American Associations (NaFFAA), which was cofounded by several Filipino-American lawyers like Rodel Rodis and Loida Nicolas-Lewis. My suggestion fell on deaf ears – as many of the Filipino-American lawyers practiced only in the fields of immigration and personal-injury (resulting from car accidents). And of course, the controlling clique of the NaFFAA chose only to involve itself in money-making ventures that its members could pocket and not in providing basic services to the constituents.

Later I even proposed the PALDEF concept to a Jewish-American lawyer, who was married to a Filipino woman. You can read about it in [Remembering Bernie Lehrer](#) but unfortunately Atty. Lehrer died before he could act on my proposal.

This writer actually started exploring the idea of emulating the MALDEF with several Filipino-American lawyers after the said Filipino immigrant was accused of murder on two counts in Nevada in 1994.

Alvaro Calambro, 25, a Filipino immigrant, was executed by injection on April 5, 1999, for the January 1994 murders of Peggy Crawford, who had a tire iron driven through her skull, and Keith Christopher, whose head was crushed by a hammer. The killings happened during a robbery at a gasoline station, where Alvaro Calambro “aided” his Vietnamese-American brother-in-law commit the crimes. Alvaro had a low IQ and his public defender never raised the issue of limited-mental capacity or incapacity.

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In 1998, I brought the case of Alvaro Calambro to then-Consul General Josue Villa of the Philippine Consulate General in Los Angeles, California. Consul General Villa assigned then Consul Malou Montero, who is also a Filipino lawyer, to attend to the case. Consul Montero visited with Mr. Calambro who was in Death Row but he told her that he wanted his execution to be carried out. While the Philippine diplomats tried to stop the execution of the Filipino national on humanitarian ground but the consulate's intervention was actually too late. And Alvaro Calambro opposed any further appeal. Petitions for clemency to the governor of Nevada were denied. The death sentence had been imposed and reviewed automatically by the Nevada Supreme Court.

At that time, I argued then that if there was a well-organized and well-funded PALDEF, perhaps a Filipino-American lawyer could have at least mitigated the case and sentence of Alvaro Calambro. He could have been sentenced to life imprisonment after he decided to plead guilty – on the ground of impaired mental capacity.

Or going back to the topic of the DREAM Act's poster boy, perhaps the PALDEF could have found legal avenues in 1998 to help Mark Farrales when he reached the age of 18 – or eight years after he and his siblings and mother were brought by his father in 1990 to Los Angeles, where the Farrales family sought political asylum. # # #