

EXHIBIT "D"

LEON WILDES  
ATTORNEY AT LAW  
515 Madison Avenue  
New York, N.Y. 10022  
PLANA 8-3468

April 13, 1973

U.S. Department of Justice  
Immigration & Naturalization Service  
Central Office  
119 D. Street, N.E.  
Washington, D.C. 20536

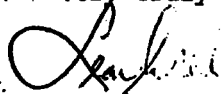
Attn: Charles Gordon, Esquire

Dear Sir:

Pursuant to Title 5, U.S.C., Para. 552, the undersigned hereby demands that you make the attached information available to him forthwith. This information is of special and urgent necessity in connection with preparation of an appeal brief as to the government's action against my client, John Winston Ono Lennon.

Thank you in advance for your prompt attention.

Very truly yours,

  
LEON WILDES

LW:ba  
Certified Mail: Return Receipt Requested

Pursuant to Title 5, U.S.C., Para. 552, the undersigned hereby demands that you make the following information available forthwith to the undersigned:

(I) State the following separately, nationally, and for the geographic area covered by the New York District Office of the Immigration and Nationalization Service, for specific annual periods during each of the past (five) 5 years:

(a) The number of aliens apprehended who are statutorily excludible or deportable and a breakdown as to the grounds for their deportability, and specifically governing, inter alia, excludibility under Para. 212(a)(23) of the I.N.A., and deportability under I.N.A. Section 241(a)(2) and 241(a)(9), and 241(a)(11).

(b) For same time periods and geographic areas and with the same breakdown as to each ground for excludibility and deportability as in (I) (a) above, state:

(i) The number of such aliens in whose cases formal deportation proceedings were actually instituted;

(ii) The number of such cases in which proceedings were not instituted because of humanitarian reasons, including age, illness, close family relationships, etc., stating the number under each separate category of humanitarian classification, including, but not limited to age, infirmity, relationship to U.S. citizen child, relationship to U.S. resident spouse, compelling national interest, pendency of third preference petitions or because aliens were professionals or members of the arts or sciences of third preference level;

(iii) The number of such cases administratively considered "non-priority" cases in each such category and for each such period; the

specific criterion or standards for such classification, and the range of periods of time for which such classification exists.

- (iv) The number of such cases in each category and for each such period for which proceedings were administratively deferred for temporary periods of time or delayed during the temporary pendency of such factors as stated in I(b) (ii) above.
- (v) The number of cases for each time period and geographic area specified in which the removal of aliens was stayed during the pendency of private immigration legislation in the Congress and, with respect to any case not stayed, if any, the reasons specified for nondeferral of all such cases.

(c) State the standards applied for classification of a case as "non-priority" or other classification by reason of which an alien statutorily deportable is

- (i) not made the subject of deportation proceedings; or
- (ii) if processed for deportation, granted indefinite voluntary departure; or
- (iii) extended periods of voluntary departure.

If separate standards exist for each such category, please state them; state whether they are embodied in written instructions, regulations or operating manuals, and if so, furnish a copy of all such standards stating their respective effective dates and geographic jurisdictional area of applicability.

Yours, etc.

LEON WILDES,  
515 Madison Avenue  
New York, N.Y. 10022  
212-753-3468  
Attorney for John Winston Ono Lano

EXHIBIT "E"

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON, D.C. 20536

PLEASE ADDRESS REPLY TO

AND REFER TO THIS FILE NO.

CO 2.12-C

APR 11 1973

Leon Wildes, Esq.  
515 Madison Avenue  
New York, New York 10022

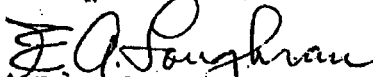
Dear Mr. Wildes,

Reference is made to your letter of April 13, 1973, asking the Service to make available certain information for use in preparing the appeal brief for your client, John Lennon.

Shortly following receipt of your letter, this office asked District Director Sol Marks to meet with you to discuss the matter and, in particular, to ascertain whether your demands for information could be presented to the Service in less expansive and more manageable categories. I understand that Mr. Marks has talked to you on the telephone and it was agreed you would stop by his office for a meeting.

You may be assured that renewed attention will be given to your request when further word is received from you or Mr. Marks.

Sincerely,



E. A. Loughran  
Associate Commissioner  
Management

EXHIBIT "F"

LEON WILDES  
ATTORNEY AT LAW  
515 Madison Avenue  
New York, N.Y. 10022  
PLAZA 3-3-168

CABLE ADDRESS  
"LEONWILDES," N. Y.

May 21, 1973

U.S. Department of Justice  
Immigration and Naturalization Service  
Central Office 119 D Street, N.E.  
Washington, D.C. 20536  
Attention: E.A. Loughran, Associate Commissioner, Management

Re: Your file: CO 2.12-C  
John Winston Ono Lennon

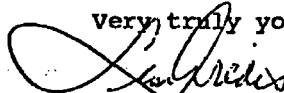
Dear Mr. Loughran:

I refer to your letter of May 16, 1973 concerning my most recent request for certain information for use in preparing my appeal brief in behalf of my client, the above-named alien.

As you know, my request for the same information was filed with Mr. Marks in exactly the same form on May 1, 1972, over a year ago. The information was not furnished. On June 5, 1972 I again repeated my request for the same information. On this occasion Mr. Marks replied, on June 14, 1972, advising me that his office maintains a public reading room on the twelfth floor for certain information, not relevant to these proceedings, was available for my use, including copies of the Immigration and Nationality Act. I considered this reply, to say the least, unresponsive. The preparation of a proper defense in my client's case required, and the preparation of an appropriate appeal likewise requires, all of the information requested. I have informed Mr. Marks accordingly by telephone.

Please take notice that unless the information requested is made available within thirty (30) days from the date of this letter I shall have no alternative other than to institute appropriate legal proceedings to secure the necessary information in writing and to examine knowledgeable parties as to the information requested.

Very truly yours,

  
LEON WILDES

LW/ts

Certified Mail: Return Receipt Requested



EXHIBIT "G"

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON, D.C. 20538

PLEASE ADDRESS REPLY TO

MAY 31 1973

AND REFER TO THIS FILE NO.

CO 2.12-C

Leon Wildes, Esq.  
515 Madison Avenue  
New York, New York 10022

Dear Mr. Wildes:

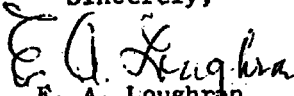
This is in further response to your letter of April 13, 1973 requesting information from the records of this Service for your use in preparing an appeal brief in the deportation proceedings brought by this Service against John Lennon. District Director Marks has informed me that you do not desire to modify the scope of your request.

Although you have not submitted a request for records on Form N-585 as prescribed by 8 CFR 103.10(a)(2), I am glad to send you a copy of the Annual Report of this Service for fiscal year 1972 which contains some of the information which you seek. See particularly Tables 21 - 26.

With respect to information which you still desire which may not be contained in the Annual Report, you are requested to file attached Form N-585 and a determination will be made as to whether the request will be granted or denied.

Some of the information which you seek may not exist. Some may exist but cannot be searched, collected and produced without unduly burdening or interfering with Service operations. 8 CFR 103.10(a)(2). If after your request is filed it appears that the fees chargeable will exceed \$25.00, it may be necessary to notify you of the amount of the anticipated fees. 8 CFR 103.7(b)(2).

Sincerely,

  
E. A. Loughran  
Associate Commissioner  
Management

Attachments

EXHIBIT "H"

LEON WILDES  
ATTORNEY AT LAW  
*515 Madison Avenue*  
*New York, N.Y. 10022*  
PLaza 3-3468

CABLE ADDRESS  
"LEONWILDES," N. Y.

June 5, 1973

Mr. E.A. Loughran, Associate Commissioner, Management  
U.S. Department of Justice  
Immigration and Naturalization Service  
Washington, D.C. 20536

Re: Your file CO2.12-C

Dear Mr. Loughran:

Your letter of May 31, 1973 has just arrived and I return herewith form N-585 which I have completed and filed. The form, as you know, does not lend itself to this type of application, as it is basically a request for data concerning an individual case in which the applicant is required to supply most of the identifying information. As you know, we are not aware of the names or other identifying data concerning the cases as to which we have inquired. This information is known only by your office and, I am quite certain, is consulted in the preparation of your annual reports. Other information not consulted in preparing your annual reports is, I understand, included in your records of "non-priority" cases furnished to you by the various district directors throughout the United States.

In view of the fact that the Board of Immigration Appeals has required that we file a brief on or before August 6, 1973, your earliest determination will be appreciated.

Very truly yours,

LEON WILDES

LW/ts

Encl.: Form N-585

Certified Mail: Return Receipt Requested

**IMPORTANT - SEE INSTRUCTIONS ON REVERSE. PLEASE FILL IN WITH TYPEWRITER OR PRINT IN BLOCK LETTERS IN INK.**

UNITED STATES DEPARTMENT OF JUSTICE  
Immigration and Naturalization Service

Form approved  
OMB No. 43-80104

**APPLICATION FOR A SEARCH OF THE RECORDS OF THE IMMIGRATION AND NATURALIZATION SERVICE**

MAIL TO -  
Immigration and Naturalization Service

Fee Stamp

TYPE OR PRINT THE NAME AND MAILING ADDRESS OF THE PERSON TO WHOM INFORMATION OR COPIES OF RECORD SHOULD BE RETURNED UNDER THE LINE BELOW.

(See instruction 3 on reverse)

PERSON CONSENTING

NAME AND ADDRESS

SIGNATURE OF PERSON CONSENTING

1. SPECIFIC INFORMATION DESIRED  
**See Attached List**

2. STATE PURPOSE FOR WHICH DESIRED  
**To prepare brief on appeal to Board of Immigration Appeals in behalf of John LENKON**

IF INFORMATION IS FOR SOCIAL SECURITY BENEFITS, SHOW SOCIAL SECURITY NO.:

**DATA FOR IDENTIFICATION OF THE RECORD**

3. FAMILY NAME GIVEN NAME MIDDLE NAME 4. ALIEN REGISTRATION NUMBER  
**Kindly refer to attached list of data previously requested. This list was**

5. OTHER NAMES USED, IF ANY 6. NAME USED AT TIME OF ENTRY  
**submitted to the New York District Office and to the Central Office**

7. PLACE OF BIRTH 8. DATE OF BIRTH 9. PORT ABROAD FROM WHICH LEFT FOR UNITED STATES

10. PORT OF ENTRY 11. DATE OF ENTRY 12. NAME OF VESSEL OR OTHER MEANS OF ENTRY

**GIVE THE FOLLOWING INFORMATION IF THE PERSON WAS NATURALIZED**

13. NAME ON NATURALIZATION CERTIFICATE 14. CERTIFICATE NUMBER 15. NATURALIZATION DATE

16. ADDRESS AT TIME OF NATURALIZATION 17. NAME AND LOCATION OF NATURALIZATION COURT

**DO NOT COMPLETE THIS BLOCK - RESERVED FOR GOVERNMENT USE ONLY**

18. SIGNATURE OF APPLICANT

BIS OFFICE: \_\_\_\_\_ DATE: \_\_\_\_\_

THE RECORDS OF THE IMMIGRATION AND NATURALIZATION SERVICE REFLECT THE FOLLOWING:

LAWFUL ADMISSION FOR PERMANENT RESIDENCE ON \_\_\_\_\_ AT \_\_\_\_\_

NATURALIZATION INFORMATION AS SHOWN ABOVE IS CORRECT.

NATURALIZATION IN (COURT) \_\_\_\_\_ ON (DATE) \_\_\_\_\_ AT (LOCATION) \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_

ARRIVAL RECORD DATED \_\_\_\_\_ SHOWED SUBJECT'S AGE AT TIME TO BE \_\_\_\_\_

COPIES ATTACHED AS REQUESTED. \_\_\_\_\_ SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_

EXH  
EXHIBIT "I"

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON, D.C. 20536

PLEASE ADDRESS REPLY TO

AND REFER TO THIS FILE NO.

CO 2:12-C

Leon Wildes, Esq.  
515 Madison Avenue  
New York, New York 10022

Dear Mr. Wildes:

This is in reference to your letter and enclosed application  
of June 5, 1973.

A fee in the amount of \$3.00 is required for the filing of  
this application. Please return the fee to this office along  
with your application. Checks and money orders should be made  
payable to the U. S. Immigration and Naturalization Service,  
Department of Justice.

Sincerely,

*E. A. Loughran*  
E. A. Loughran  
Associate Commissioner  
Management

Enclosure

EXHIBIT "J"



June 19, 1973

U.S. Department of Justice  
Immigration and Naturalization Service  
Washington, D.C. 20536  
Attention: E.A. Loughran,  
Associate Commissioner

Re: Form N-585

Dear Sir:

As per your instructions of your undated letter received today, enclosed herewith please find our check in the sum of \$3.00, the fee for filing our application, form N-585, originally submitted to you on June 5, 1973, and enclosed herewith.

Your prompt action in this matter would be greatly appreciated.

Very truly yours,

LEON WILDES

lw/ts  
Encs.

EXHIBIT "K"

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON, D.C. 20536

PLEASE ADDRESS REPLY TO

July 16, 1973

AND REFER TO THIS FILE NO.  
CO 979-C

Mr. Leon Wildes  
515 Madison Avenue  
New York, New York 10022

Dear Mr. Wildes:

We are furnishing the following information in response to your letter of June 19, 1973. The numbers below correspond to your inquiry.

- I.a. Data on the grounds for deportability of all aliens apprehended in violation of the immigration and nationality laws is not maintained by this Service. However, tables showing aliens deported and aliens required to depart, by charge, for fiscal years 1968 through 1972 and the July through December 1972 period are enclosed. Similar data, specially tabulated by computer for the New York District, is enclosed for fiscal year 1972 and for the July through December 1972 period. Statistics by district are not available prior to fiscal year 1972. These tables reflect the charges against aliens who were apprehended and subsequently left the United States, and not all aliens apprehended. Aliens deported or required to depart who were statutorily excludable under Section 212(a)(23) of the I and N Act and those deportable under Sections 241(a)(2), 241(a)(9), and 241(a)(11) are included in these tables.
- b.i. Deportation proceedings were instituted in the cases of all aliens who were deported as reported in response to question I.a. It is not possible to determine the number of cases in which deportation proceedings were instituted in the cases of aliens who departed voluntarily. Not only may an alien apply for

voluntary departure in lieu of instituting deportation proceedings, but he may also apply for voluntary departure any time between the initiation of proceedings and the time his actual hearing begins. Also, in some cases, after the conclusion of a deportation hearing an alien may be permitted to depart voluntarily rather than be deported. Because of these factors, the number of persons against whom deportation proceedings were instituted who are included in the tables showing aliens required to depart cannot be determined.

Deportation hearings completed by the Service's Special Inquiry Officers, by district, during the past 5 fiscal years are shown on Table 20A of the 1972 Annual Report of the Immigration and Naturalization Service, which was forwarded to you on May 31, 1973. This data, however, includes all hearings completed, including those closed by death, departure, naturalization, adjustment of status, transfer of the case to another office, and cases received where required departure was granted prior to hearing. Data on the grounds for deportation for persons involved in these proceedings is not maintained by this Service.

- X b.ii. Statistics are not compiled on the number of cases in which proceedings are not instituted because of humanitarian reasons.
- X b.iii. Data is not compiled on non-priority cases.
- X b.iv. Data is not maintained on cases administratively deferred for temporary periods or delayed during the temporary pendency for humanitarian reasons.
- b.v. Statistics are not collected on the number of cases in which removal of aliens was stayed pending private legislation in the Congress. Table 56 of the annual report shows the total number of private bills introduced in the 75th through the 92nd Congresses.
- c. A "non-priority" case is one in which the Service in the exercise of discretion determines that adverse action would be unconscionable because of appealing humanitarian factors. Each case is handled on its individual merits. Generally, these cases are identified at an early stage in Service processing and

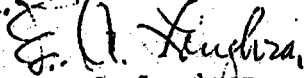
are not put under deportation proceedings. However, in a number of cases the appealing humanitarian factors may occur or be recognized after proceedings have been started. In the latter cases, extended voluntary departure or stays of deportation may be granted, as appropriate.

The factors which are considered in these situations include - but are not limited to - the following: (1) Significantly adverse impact on subsisting and close family relationships; (2) Age of the alien; (3) Length of residence in the United States; (4) Physical and mental health of the alien.

In addition to "non-priority" situations, District Directors have the authority to grant extensions of voluntary departure time or stays of deportation when "compelling factors" are present. Extensions or stays under these situations are usually limited to much shorter periods of time than "non-priority" cases. They are usually self-executing arrangements whereby a form of relief becomes available, a temporary illness is cured, or a workmen's compensation case is completed, etc.

Pertinent operations instructions are O.I. 242.10(a) for voluntary departure cases and O.I. 243.3 for deportation cases. These pages are contained in the volumes of "Current Laws: Title 8, Code of Federal Regulations; Operations Instructions; and Interpretations", which are available in the reading room of the New York District Office.

Sincerely,



E. A. Loughran

Associate Commissioner, Management

Enclosures

EXHIBIT "L"

LEON WILDES

ATTORNEY AT LAW

515 Madison Avenue  
New York, N.Y. 10022

PLANA 3-3468

CABLE ADDRESS  
"LEONWILDES," N. Y.

August 1, 1973

Immigration and Naturalization Service  
U.S. Department of Justice  
Central Office  
119 "D" Street, N.E.  
Washington, D.C. 20536  
Attention: Mr. E.A. Loughran,  
Associate Commissioner, Management

Re: Your File: CO 2.12-C  
CO 979-C

Dear Mr. Loughran:

Thank you for your letter of July 16, 1973 and its attachments.

As you undoubtedly already know, the essence of my request for information is contained in items b(ii), b(iii) and b(iv), and the information furnished by you in reply to these questions, cannot, by any stretch of the imagination, be considered to satisfy these reasonable requests which have continuously been made of your office.

Your replies to these three questions do not state specifically whether or not such records are kept. It would appear from your replies, that "statistics are not compiled" as to the cases in which deportation proceedings are not instituted because of humanitarian reasons, but it does not appear whether records exist, regardless of whether they have been reduced to statistics. Likewise, your reply that "data is not compiled on non-priority cases" does not advise whether you have such data in your possession, regardless of whether or not such data is "compiled", whatever that term may mean. From your reply that "data is not maintained" on cases administratively deferred for temporary periods for humanitarian reasons, one may reasonably assume that data is maintained, though perhaps not "compiled" on non-priority cases. In short, I find that your responses with respect to the essential questions put to your office on a

Lennon, 2

number of occasions, are unresponsive. Furthermore, the delay caused by the continued necessity to repeat the requests for this information has prevented me from documenting one of the essential elements in connection with my client's appeal to the Board of Immigration Appeals.

As I have stated previously, the denial of this information by the District Director has prevented me from offering this information as a potential defence in the deportation proceedings before the Immigration Judge in New York. Your office's continued failure to furnish this information has resulted in my client's inability to fully document the argument on appeal. I must, accordingly, respectfully request that this information be furnished promptly.

I might add that it has come to my attention that district directors are required by internal operating practice to file a written report on every non-priority case with your office and that I find your failure to furnish this information, which is submittedly a part of your records and not exempt from the scope of the Freedom of Information Act to be an improper deprivation of my client's due process rights to a full and fair hearing of his alleged deportability from the United States.

Very truly yours,

  
LEON WILDES

LW/ts



EXHBT "K"

The undersigned, an attorney admitted to practice in the courts of New York State, certifies that the within has been compared by the undersigned with the original and found to be a true and complete copy.

Dated:

The undersigned, an attorney admitted to practice in the courts of New York State, shows: that deponent is the attorney(s) of record for in the within action; that deponent has read the foregoing and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. Deponent further says that the reason this verification is made by deponent and not by

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.

Dated:

deponent is the read the foregoing, being duly sworn, deposes and says that in the within action; that deponent has and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. Sworn to before me, this day of 19

of, being duly sworn, deposes and says that deponent is the the corporation named in the within action; that deponent has read the foregoing and knows the contents thereof; and that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters deponent believes it to be true. This verification is made by deponent because is a corporation. Deponent is an officer thereof, to-wit, its The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

Sworn to before me, this day of 19

being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at That on the day of 19 deponent served the within attorney(s) for upon in this action, at the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States post office department within the State of New York. Sworn to before me, this day of 19

being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at That on the day of 19 at No. deponent served the within upon the herein, by delivering a true copy thereof to h personally. Deponent knew the person so served to be the person mentioned and described in said papers as the therein. Sworn to before me, this day of 19

NOTICE OF ENTRY

Sir- Please take notice that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on 19

Dated, Yours, etc,

Attorney for Office and Post Office Address

To, Attorney for

NOTICE OF SETTLEMENT  
Sir- Please take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

at day of 19  
at M.

Date: Yours, etc,

Attorney for Office and Post Office Address

To

Index No. Year 19

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN WINSTON ONO LENNON

Plaintiff,

-against-

ELLIOT RICHARDSON, LEONARD  
CHAPMAN, EDWARD LOUGHRAN,  
SOCRATES ZOLATAS, AND SOL  
MARKS,

Defendants

SUMMONS & COMPLAINT

LEON WINOBS

Attorney for Plaintiff

Office and Post Office Address, Telephone

515 Madison Avenue  
New York, New York 10022  
PL 3-3486

To

Attorney for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney for

10-6-78

NO. 2051 E GLOSMITH BROS., N. Y. 10028, (212) 267-7900

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT  
OF NEW YORK

CIVIL ACTION FILE NO. \_\_\_\_\_

*43 (11-4-83)*  
*J. Edgar Hoover*

-----  
JOHN WINSTON ONO LENNON,  
Plaintiff,

-against-

THE UNITED STATES OF AMERICA;  
ROBERT H. BORK, as Acting Attorney  
General of the United States;  
RICHARD KLIENDIENST, Individually  
and as former Attorney General of  
the United States; JOHN A. MITCHELL,  
Individually and as Former Attorney  
General of the United States;  
RAYMOND FARRELL, Individually, and  
as Former Commissioner of Immigration  
and Naturalization; LEONARD CHAPMAN,  
Individually, and as Commissioner of  
Immigration and Naturalization; SOL  
MARKS, Individually, and as District  
Director, New York, Immigration and  
Naturalization; the IMMIGRATION AND  
NATURALIZATION SERVICE; and PERSONS  
UNKNOWN IN THE UNITED STATES GOVERN-  
MENT,

SUMMONS

Defendants

-----  
To the above named Defendants:

You are hereby summoned and required to serve upon  
LEON WILDES, ESQ., plaintiff's attorney, whose address is  
515 Madison Avenue, New York, New York 10022, an answer  
to the complaint which is herewith served upon you,  
within 60 days after service of this summons upon you,  
exclusive of the day of service. If you fail to do so,