

I, Sami ....., being duly sworn, depose and say:

1. I was born on July 27, 19.., in the city of Damascus, Syria.

2. I currently reside in the United States at ... East 14th St., Brooklyn, N.Y. 11229. My home telephone number is 718/...-.....; my cellphone number is 917/...-..... I have been residing at my current address since January of 2004.

3. On the basis of my having been granted asylee status by the U.S. Immigration and Naturalization Service (INS) and of my having thereafter resided in the U.S. for more than a year, I applied to the INS for permanent resident status, which was granted on October 27, 1998. My Alien Registration No. is .. ... ..

4. On March 3, 2004, I filed an INS Form N-400 Application for Naturalization with the Vermont Service Center. On May .., 2005, at the Garden City, Long Island branch of the New York District Office, I was interviewed by District Adjudications Officer ....., I passed the English as well as U.S. history and government portions of the examination. However, in view of the numerous trips outside of the U.S. that I took in the 5 years that preceded my filing for naturalization, as well as the numerous trips that I took between the date of my filing and the date of my interview, Mr. .... could not readily determine whether I met the residency requirements that are a prerequisite to naturalization. Accordingly, he issued a Form N-14 Letter to me requesting that I “list

all trips outside U.S. in last 5 years.” A copy of Officer .....’s letter is attached to this affidavit as Exhibit 1 and made a part hereof.

5. As my English language skills are rudimentary, and my knowledge of immigration law is even more limited, I realized that I needed professional assistance. Therefore, on May 30, 2005, I consulted immigration attorney Oscar Abraham Jaeger, whose office is at 729 Kathleen Place, in Brooklyn, N.Y., telephone 718/615-0393. I met with Mr. Jaeger several times in the course of the ensuing ten days, in order to prepare as clear and comprehensive a response to Mr. .....’s N-14 letter as I possibly could.

6. Towards that goal, Mr. Jaeger tried to contact Officer ..... several times, at 516/...-...., leaving voicemail messages for him (I participated in the first two messages, confirming that Mr. Jaeger was indeed my attorney and authorizing him to speak for me). Mr. Jaeger wished to speak with Mr. .... in order to facilitate a mutually beneficial goal: clarification as to the focus of Mr. ....’s inquiry. As of the date of this affidavit, Mr. Jaeger never received a reply from Mr. .... Accordingly, I will principally address what Mr. Jaeger and I believe is the primary focus of Mr. ....’s inquiry, but I will also address what I believe may be a secondary source of Mr. ....’s concern.

7. Mr. Jaeger explained to me that, under U.S. naturalization law, there were a number of residency requirements. If an applicant did not meet all of these requirements, he (or she) could not be naturalized. In the first place, after being admitted to permanent resident status, the applicant had to reside in the U.S. for at least half of the time during the

five years that preceded his filing for naturalization. In the second place, the applicant had to demonstrate to the satisfaction of the INS – now called, in relevant part, U.S. Citizenship & Immigration Services, or USCIS – that his residence during these five years was “continuous” (as defined below). Third, the applicant had to demonstrate to the satisfaction of USCIS that, employing the same definition of continuity used with reference to the five-year pre-filing period of time, he resided continuously in the U.S. from the date of filing the naturalization application to the date of his interview.

8. Mr. Jaeger explained to me that the first residency requirement is addressed by performing a relatively straightforward set of mathematical calculations. To be sure, where the applicant has taken many trips, as I have, the official records of those trips, in the form of stamps in passports and/or other travel documents, may pose a challenge in the form of careful and time-consuming examination, but the subject matter is essentially simple. By contrast, Mr. Jaeger went on to explain, the second two residency requirements incorporate the idea of continuity, an idea which has a technical, somewhat subtle, definition, rendering the analysis more subjective and complicated. In the context of U.S. naturalization residency requirements, continuity means that the applicant did not intend to abandon his lawful permanent resident status. If one or more of the applicant’s trips outside the U.S. are of more than six months duration, as a number of my trips have been, a presumption of discontinuity is raised with respect to each such trip – a presumption it is up to the applicant to rebut.

9. I told Mr. Jaeger everything I recalled about my interview with

Mr. .... On the basis of my description of my interaction with Mr. ...., the kinds of questions he asked me and the kinds of documents he examined, as well as on the basis of the apparently straightforward request Mr. .... made to me in his N-14 letter, Mr. Jaeger has advised me that he believes Mr. ....'s main concern appears to be the first of the three residency requirements stated above. Mr. Jaeger told me that he believes that my consistent record of annual filing and payment of U.S. personal income taxes for the past 11 years (the only exceptions were for 1996 and 1998, when my income was insufficient to require filing), together with other evidence I presented at my interview, appears to have convinced Officer ..... that I did not intend to abandon my permanent resident status at any time during the period of five years that preceded the filing of my application for naturalization, notwithstanding the fact that during this period of time two of my trips outside the U.S. exceeded six months in duration. or at any time during the period of approximately 1 and 1/4 years. For the purposes of this affidavit I will therefore assume, unless and until I am informed to the contrary by USCIS, that I have satisfied the second residency requirement noted in paragraph 7 above. As for satisfying the third residency requirement, with its focus on the issue of continuity of residence during the period that elapsed between the date of the filing of my application and the date of the naturalization interview – a period of about 1 and 1/4 years – I will show in paragraph 16 below that I have satisfied this third requirement, inasmuch as all of my trips were less than six months in duration and therefore did not trigger any presumption of discontinuity.

10. As a precaution, Mr. Jaeger advised me nonetheless to address the continuity issue by presenting additional evidence in this affidavit of my intention not to abandon my permanent resident status. I told Mr. Jaeger that, in April of last year, I purchased a house in Brooklyn, N.Y., which I intend to reside in when I have completed renovating and furnishing it, and Mr. Jaeger told me that he believed such a purchase constituted persuasive evidence of my long-term intention to reside in the U.S. permanently and continuously as a lawful permanent resident. Accordingly, I attach to this affidavit as Exhibit 2 and make a part hereof a copy of the deed to my house.

11. Turning now to what Mr. Jaeger and I believe is the principal focus of Officer .....’s inquiry, the proper response to which includes a careful examination of official travel documents, I begin by reiterating what I told Officer ..... during the course of my interview. On or about January 18, 2004, when I returned to the U.S. from a trip to Mexico, U.S. Customs Inspectors that examined my travel documents confiscated the refugee/asylee travel document that had been duly issued to me by the INS/USCIS. I do not know for certain why they confiscated this document but I suspect it was for one of two reasons. The first possibility is that the Customs officials noticed an inaccuracy in the application for a new refugee/asylee travel document that had been prepared and filed on my behalf by a so-called paralegal I trusted at the time but whom I now know to be an untrustworthy, careless person, as indifferent to facts as she is to to my welfare (she is also the one who prepared my application for naturalization, and the errors, discussed below, that she made just in calculating the length of my trips is

characteristic, I now see, of her slovenly work.) The other possibility that comes to mind is that the expiration date of the travel document was very near and the authorities knew I would no longer be needing it. In any event, the significance of their confiscation of my refugee/asylee travel document to the present situation is that this document was not only my best record of my travels between July 2000 and January 2004, it was my only record. Accordingly, the travel dates I will now furnish for that time period, as part of my attempt to comply with the N-14 letter, are based on my best recollection, but cannot be regarded as absolutely definitive. The definitive record is in that confiscated travel document. As between myself and USCIS, I believe USCIS has far better access to that document and should probably consult it for definitive information.

12. Since I will be describing some of the errors made by the “paralegal” who prepared my naturalization application as well as my application for my second refugee/asylee travel document – the one that I received when I returned to the U.S. in January of 2004 – I should note for the record that her first name is Emma (I do not know her last name) and that she works for an organization called “.....,” with offices at .... 65th St., Brooklyn, N.Y., telephone 718/...-..... Mr. Jaeger told me that he has plenty of experience coping with the mistakes made by these “paralegals” - he prefers to call them parasites – since many clients come to him only after encountering a problem caused by these people. Mr. Jaeger pointed out to me that what is most offensive about these people is not that they are practicing law without a license – there is enough immigration work for him, he assured me, so that he does not feel competitive with them – but that they truly don’t know what they’re

doing and, even worse, they don't care. They thrive on the credulity and limited English language skills of the immigrant community they claim to serve. Mr. Jaeger also pointed out to me that, besides illegally practicing law without a license and doing a bad job of it, Emma broke the law by not signing the application in acknowledgment that she prepared it. Mr. Jaeger said such non-signing was typical of these parasites. Attached to this affidavit as Exhibit 3 and made a part hereof is the front and back of a receipt issued to me by Emma with respect to my payment for her dubious services in preparing my application for naturalization.

13. To the best of my recollection, in the five years preceding the filing of my application for naturalization, I made six trips outside of the U.S., all of them to visit my family in Mexico. In reverse chronological order, the first trip was between July 24, 2000, and January 26, 2001, a period of 186 days (not 174 days, as calculated and noted by Emma on my application). The second trip was between July 1, 2001, and March 13, 2002, a period of 255 days (not the 318 days Emma noted). The third trip was not, as Emma noted in my application, between March 20, 2002, and January 6, 2003 (which adds up, incidentally, to 292 days, and not the 256 days counted by Emma). I had told Emma very clearly that, after departing from the U.S. on March 20, 2002, I had returned to the U.S. in or about the month of August 2002 – I did not then, and do not now, recall the return date more precisely – and that I had stayed here a few days, then returned to Mexico, and only thereafter returned to the U.S. on January 6, 2003. Emma advised me that it was not important to be so accurate and that it was fine to consolidate these two

trips. Mr. Jaeger pointed out to me that this was really bad advice: the 292 days I appear to have been away on one trip actually consisted of two trips, broken up by a return to the U.S. in August of 2002. The significance of that return in August is that neither of the two trips I took actually exceeded six months in duration, and so neither one of them raises the presumption of discontinuity of residence that I would be required to rebut if Emma's version of these trips – the consolidation of them into a single 292 day trip – was deemed to be accurate. In brief, my third trip was actually between March 20, 2002, and a date in or about the month of August, 2002, while my fourth trip began a few days later, with a departure in or about the month of August 2002 and a return to the U.S. on January 6, 2003. The total time I was outside of the U.S. during these two trips was a few days short of 292. The fifth trip was between February 4, 2003, and February 12, 2003, a total of 8 days (this trip was so short that even Emma calculated its length correctly – the only one of her calculations not in error!). The final trip during this time period was between August 26, 2003, and January 18, 2004, a period of 145 days (not 142 days, as noted by Emma). Adding together the duration of these six trips, and noting that I spent a few days in the U.S. in August of 2002, my best calculation is that they total a few days less than 886 (not the total of 741 days calculated by Emma).

14. If my memory serves me well – and I say this knowing the fallibility of memory and therefore urging an inspection of my confiscated first travel document, or of some equivalent tracking record maintained by the U.S. Department of State, as the best check on my memory – then I was residing in the U.S. for more than 1/2 of the time



preceding my application for naturalization: five years is approximately 1825 days; 1/2 of that is about 912 days; and as I was outside the U.S. for less than 886 days I was residing in the U.S. in excess of 939 days. Accordingly, I satisfy the first residency requirement noted in paragraph 7 above.

15. Turning now to a listing of the trips I took between the date of the filing of my naturalization application and the date of my naturalization interview, my list is based on combining two sources: 1) a careful examination of the second refugee/asylee travel document, which is in my possession, and which Officer ..... made a copy of on the date of my interview; and 2) my best recollection. Since the customs stamps placed in my travel document would ordinarily be regarded as providing clear and definitive information, it might well be asked why I would need to resort to memory at all. Briefly, as will be seen below, there are anomalies in the official record with respect to two of the trips I took, and this state of potential confusion has necessitated the resort to memory. A copy of my current refugee/asylee travel document is attached to this affidavit as Exhibit 4 and made a part hereof.

16. In the period of time between the date of the filing my naturalization application, March 3, 2004, and the date of my naturalization interview, May 20, 2005, I took 6 trips outside of the U.S. In reverse chronological order, the first trip involved a departure from the U.S. sometime in March of 2004 – I cannot recall the exact date, and I cannot find any entry stamp in my travel document that should have been placed there by the Mexican Customs officials – and a return date to the U.S. of April 1, 2004. To the best of my recollection, this trip to

Mexico was a very brief one, lasting no more than a few days. My second trip, to Israel, involved a departure date of April 5, 2004, and a return to the U.S. on April 15, 2004, for a total of 10 days outside the U.S. The third trip, to Mexico, involved a departure date of May 2, 2004, and a return date of May 24, 2004: hence, a total of 23 days outside the U.S. I remember very well returning to the U.S. on May 24, as it was the wedding date of my close friend Jack ....., and the purpose of my return was to attend his wedding. Surprisingly, there is no U.S. stamp in my travel document marking my return to the U.S. and I have no explanation for this anomaly: I was certainly inspected and admitted by U.S. Customs. My fourth trip involved a departure to Mexico on May 30, 2004, and a return to the U.S. on October 6, 2004, for a total of 125 days. My fifth trip involved a departure to Mexico on October 11, 2004, with a return date of February 20, 2005, for a total of 132 days. My sixth trip, to Israel, involved a departure on March 22, 2005, and a return to the U.S. on May 2, 2005, for a total of 38 days. Since each of these six trips was less than six months in duration, there is no break in the continuity of my residence during this period of time; accordingly, I satisfy the third residency requirement noted in paragraph 7 above.

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Sami .....

Sworn to before me this  
day of June, 2005

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Notary Public