

I, Jahmal, being duly sworn, depose and say:

1. I am making this affidavit in support of the Form I-485 that I am filing with the United States Citizenship and Immigration Services (USCIS). More specifically, I am making this affidavit to explain my affirmative answer to Questions 1b in Part 3 of the Form I-485.

2. In answer to the Question 1b concerning whether I have ever been “arrested, cited, charged, indicted, fined or imprisoned for breaking or violating any law or ordinance, excluding traffic violations,” I was arrested once, in the following circumstances.

3. On June .., 2006, after visiting my aunt and uncle, Lucy and Ricky, who live in Brooklyn, N.Y., I was driving back to my home in New Haven, Connecticut, using Interstate Highway 95 (I-95). My wife, Laetitia, was sitting next to me. On the way home, around 6:30 p.m., while we were traveling past Bridgeport, Connecticut, our car was suddenly flooded with a bright light. At first we believed it was another motorist trying to pass us, but then no car passed us and we heard a voice over a speakerphone telling us to pull the car over. The glare from the light was so blinding that I could not see clearly enough to maneuver our car readily to the shoulder on my right, so I just kept slowing down and edging to my right carefully until I finally managed to come to a full stop at the shoulder.

4. A police officer from the Connecticut State Police (CSP), known as a trooper, came up to our car. He was angry and even began cursing me. He wanted to know why I did not stop my car immediately as soon as he turned on his flood lights. I tried to explain, politely, but he did not seem to care about my answer. The trooper issued a Complaint Ticket to me with three charges: speeding, failure to stop on the right side of the road, and making an improper stop. These charges were either untrue or unjustified under the circumstances. The speeding charge was simply false. The other two charges were unjustified in light of the fact that the

officer's flood lights bearing down on me made it unsafe for me to take any action other than the one I took.

5. I pled not guilty on the ticket and mailed it to the Centralized Infractions Bureau in Hartford, Connecticut. That Bureau then notified me that they had received my NOT GUILTY plea and that my case had been transferred to the Connecticut Superior Court in Norwalk, Connecticut. The Superior Court then notified me that a hearing in my case was scheduled for November .., 2006 at 10:00 a.m. I appeared on that date and discussed my case with a member of the office of the State's Attorney (that is, with the prosecutor), insisting that I was innocent of all the charges. The prosecutor then told me that he was setting a new hearing date of January .., 2007, at 9:00 a.m., at which time the charges would be prosecuted.

6. On January .., 2007, shortly before 9:00 a.m., Laetitia and I arrived on the steps of the Courthouse and saw that it was closed. We knew, of course, that was a Sunday, but since both of us had clearly heard the prosecutor tell me to appear on this Sunday, I had just assumed that the Court would nevertheless be in session.

7. On the morning of the following day, January .., 2007, I telephoned the Court and spoke with the Clerk's office. A clerk from that office informed me that my case had been put on that very morning and had already been concluded. In addition to my other charges, I had been charged with failure to appear and a bench warrant for my arrest had been issued by Judge, the presiding Judge. I asked the clerk if I could come to the Court and try to straighten this mess out, as my failure to appear was not in defiance of the Court but was due to my having been misinformed by the prosecutor as to the date I was required to appear. The clerk told me that a verbal argument would be ineffective. She suggested that I file with the Court a written motion to vacate the arrest warrant and I did so on January .., 2007. The Clerk's office set a date of February .., 2007 for a hearing on the Motion.

8. On February .., 2007, I appeared in Court and respectfully argued before Judge, pleading that my failure to appear in Court on the of January was not deliberate, but was based rather on my sincere belief that the date scheduled for my trial was, Judge insisted that, inasmuch as was a Sunday, I should have known that was

incorrect and should have called the Court in advance of that date to determine the correct date. He denied my motion. He then advised me that I would have to turn myself in to the Connecticut State Police, at their Troop G Barracks in Bridgeport, and make arrangements to be released on bail from their custody. Judge cautioned me that if I should fail to turn myself in to the CSP voluntarily, troopers would come looking for me and arrest me anyway and it would be much more unpleasant for me that way.

9. Laetitia was present in Court with me. She and I became quite distraught at this turn of events. What had started as a simple enough traffic stop, itself unjustified and so slightly nightmarish, had now become a complete nightmare. We went to the Clerk's Office to learn more about what we needed to do and a clerk informed us that I should arrange in advance for a bail bondsman to appear with me at the Troop G Barracks and post my bail. Laetitia and I made the necessary arrangements: we met that day with a bail bondsman, paid his fee, and made an appointment with him to accompany me the next day to the Troop G Barracks.

10. On the morning of February .., 2007, Laetitia and I, accompanied by the bail bondsman, appeared at the Troop G Barracks. A trooper wrote down some information I gave him and fingerprinted me. The bail bondsman posted my bail. All of us - the trooper, the bail bondsman, and myself - signed a form entitled Appearance Bond, whereupon I was released from CSP custody. The trooper then told me that I would have to appear again in Court on February .., 2007, at 9:00 a.m., when my case would be heard.

11. Laetitia suggested that, since matters had gotten so out of hand, we should retain an attorney to represent me on that date, and I agreed. We both knew that we could hardly afford the services of a criminal defense lawyer but we also knew we had no choice. On February .., 2007, I retained Mr. Mark, a partner in the firm of and On February .., 2007, Mr. filed with the Court his Notice of Appearance as my attorney, together with a Motion for Continuance: he explained that he was not available to appear on due to a conflict relating to two prior cases that had already been scheduled at other venues and he requested a continuance of my case to March .., 2007. Mr.'s motion was granted.

12. On the morning of March .., 2007, Laetitia and I met with Mr. in the lobby of the Courthouse and he asked us to wait there while he went to speak with the prosecutor. When he emerged from the prosecutor's office, Mr. told us that he had negotiated an agreement with the prosecutor: if I were to plead guilty to the speeding charge, the prosecutor would drop all the other charges. Even though I was actually not guilty of speeding, I agreed to so plead, because, considering my alternatives, I knew that this was the fairest disposition of my case that I was likely to receive. We went before Judge and the nightmare ended. I pled guilty to speeding, was ordered to pay a fine and paid it, and all the other charges against me, including most notably the charge of failure to appear in Court, were dismissed.

13. Attached to this affidavit as Exhibit 1 and made a part hereof is a Court-certified copy of my arrest record, entitled "Uniform Arrest Report." Attached to this affidavit as Exhibit 2 and made a part hereof is a Court-certified copy of my Certificate of Disposition, showing that I entered a voluntary plea of guilty to the speeding charge while all the other charges were dismissed (the word "Nolle" next to a charge is an abbreviation of the Latin phrase "nolle prosequi." Quoting from Black's Law Dictionary, Fifth Edition, "a nolle prosequi is a formal entry on the record by the prosecuting officer by which he declares that he will not prosecute the case further.")

14. Laetitia and I were pleased at this outcome of the case and were grateful to attorney for having accomplished it. We still owed him half of his fee but when we spoke with him about making our payment he told us just to forget it: the case had taken up less of his time than he had anticipated and he was glad to have been of assistance.

Jahmal

Sworn to before me this
day of July, 2007

Notary Public