

Your declarant further alleges that the defendant being subject to this court's jurisdiction by virtue of the nature of the judgment and sentence of this court, this court is possessed of jurisdiction to alleviate the harsh, severe, and drastic provisions of the Immigration and Nationality Act and its undue application to this minor.

WHEREFORE, your declarant respectfully requests that this court permit the withdrawal of the finding of guilt and modify the terms of probation and sentence heretofore imposed to time served, and certify the defendant to the Juvenile Court of the County of Los Angeles.

Further declarant sayeth not.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 17, 1967, at Los Angeles, California.

DAVID C. MARCUS

Attorney for Defendant

[illegible]

County of Los Angeles

I, the undersigned say: I am the

in the above entitled action; I have read the foregoing

and know the contents thereof; (*and that the same is true of my own knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters that I believe it to be true); (**that I am informed and believe the matters therein to be true and on that ground allege that the matters stated therein are true.)

I certify (or declare) under penalty of perjury, that the foregoing is true and correct.

Executed on (date) at (place), California.

(Signature)

- *For use when the verification is made by the individual party.
- **For use when the verification is made by the attorney for the reason that the parties are absent from the county where he has his office, or for some other cause are unable to verify it, or when the verification is made on behalf of a corporation or public agency by an officer thereof.

Strike out that portion not applicable.

Received copy of the within this day of, 19

Attorney for

Received copy of the within this day of, 19

Attorney for

(PROOF OF SERVICE BY MAIL - 1013a, and 2015.5 C.C.P.)

STATE OF CALIFORNIA, } ss.
County of Los Angeles

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my residence/business address is:

215 West Fifth Street, Los Angeles, California

On April 18, 1967, I served the within Notice of Motion and Motion

to Modify Terms of Probation and Sentence, Vacate Finding of Guilt, and Certify Defendant to Los Angeles County Juvenile Court and Declaratory Judgment of David C. Marcus in Support Thereof. plaintiff

on the in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United

States mail at Los Angeles, California addressed as follows:

Los Angeles County District Attorney
211 West Temple Street
Los Angeles, California 90013

I certify (or declare) under penalty of perjury* that the foregoing is true and correct.

Executed on April 18, 1967 at Los Angeles, California.

(Signature)

*Both the verification and proof of service by mail forms, being signed under penalty of perjury, do not require notarization.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MINUTES

Department No. NORTHEAST A

APR 27 1967

19

Present Hon. H BURTON NOBLE Judge

APPEARANCES:

(Parties and Counsel checked if present;
Counsel shown opposite parties represented.)

Case No. 324984

THE PEOPLE OF THE STATE OF
CALIFORNIA

vs

MUNIR BISHARA SALAMEH SHIRHAN

Evelle J. Younger, District Attorney, by
Deputy

E.J. Hovden, Public Defender, by
Deputy

D Marcus

Continued to May 11, 1967, 9:30 AM for further proceedings on
motion of counsel for defendant. (defendant is in custody).

PROB. 1 AUD. DMV
LAPD CSHR. CYA
CO.J. JUV. C. CLK.
SHER. PSYC. MISC.

MINUTES

THIS MINUTE ORDER WAS
ENTERED

MAY 3 1967

WILLIAM G. SHARP, COUNTY CLERK
AND CLERK OF THE SUPERIOR COURT

W. G. Sharp

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MINUTES

MAY 12 1967

Department No. NORTHEAST A

19

Present Hon. H. BURTON NOBLE Judge

Case No. 324924

THE PEOPLE OF THE STATE OF
CALIFORNIA

vs

MUNIR DASHARA SALAMEH SERHAN

APPEARANCES:

(Parties and Counsel checked if present,
Counsel shown opposite parties represented.)

Evelle J. Younger, District Attorney, by
Deputy

E. J. Hayden, Public Defender, by
Deputy

D. Marcus

On the Court's own motion matter is referred to Juvenile Court.

Present continuance date of May 18, 1967 to remain as is.

PROB. / AUD. DMV
LAPD CSHR. CYA
CO. J. JUV. C. CLK.
SHER. PSYC. MISC.

MINUTES

TELETYPE

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MINUTES

MAY 18 1967

Department No. NORTHEAST A

19

Present Hon. H. BURTON NOBLE Judge

Case No. 324984

THE PEOPLE OF THE STATE OF
CALIFORNIA

vs

☐ MUNIR BISHARA SALAMEH SIRHAN

APPEARANCES:

(Parties and Counsel checked if present.
Counsel shown opposite parties represented.)

☒ Evelle J. Younger, District Attorney, by
E. Lewis Deputy

E.J. Hovden, Public Defender, by
Deputy

☐ D. Marcus

Continued to May 25, 1967 at 2 PM for further proceedings, upon the
request of counsel for defendant. Remanded.

PROB. /	AUD. _____	DMV _____
LAPD _____	CSHR. _____	CYA _____
CO. J. _____	JUV. _____	C. CLK. _____
SHER. _____	PSYC. _____	MISC. _____

MINUTES

THIS MINUTE ORDER WAS

ENTERED

MAY 24 1967

WILLIAM G. SHARP, CLERK OF THE COURT
AND CLERK OF THE SUPERIOR COURT

CIA 6477

TCM414Y-Cdb 8-66

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MINUTES

Department No. NORTHEAST A

MAY 25 1967

19

Present Hon. H BURTON NOBLE Judge

Case No. 324984

THE PEOPLE OF THE STATE OF
CALIFORNIA

VS

☒ MUNIR BISHARA SALAMEH SIRHAN

APPEARANCES:

(Parties and Counsel checked if present.
Counsel shown opposite parties represented.)

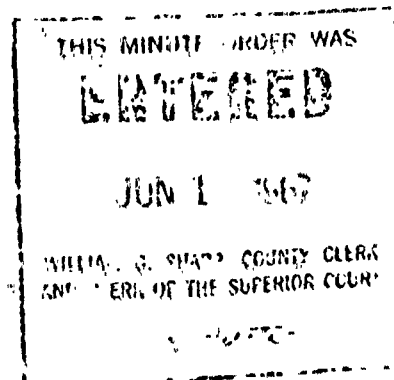
☒ Evelle J. Younger, District Attorney, by
E. Lewis Deputy

E.J. Hovden, Public Defender, by
Deputy

☒ D Marcus

Advanced to 9:30 A M on motion of the defendant. Finding of
"Guilty" is vacated and defendant is certified to Juvenile Court.
Remanded.

PROB. 1 AUD. DMV
LAPD CSHR. CYA
CO. J. JUV. C. CLK.
SHER. PSYC. MISC.



MINUTES

TCM414Y-Cdb 4-66

CLERK OF THE COURT

EX-103 7/10-70

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
JUVENILE COURT

PETITION

In the Matter of

MUNIR SIRHAN

a minor

Number

343777-0235062-FO-NEW

New

Dis. Number

Active

Petitioner is informed and believes and therefore alleges,
that MUNIR SIRHAN

at 696 EAST HOWARD STREET, PASADENA, CALIFORNIA, hereinafter called minor, resides
was 19 - years of age on JULY 15, 1966, and comes within
the provisions of Section 602 of the Welfare and Institutions Code of California, in that:

PARAGRAPH I - SAID MINOR, ON OR ABOUT JUNE 10, 1966, AT AND IN THE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DID WILFULLY, UNLAWFULLY,
AND FELONIOUSLY HAVE POSSESSION OF A NARCOTIC, TO WIT, MARIJUANA;
THEREBY VIOLATING SECTION 11530 OF THE HEALTH AND SAFETY CODE.

PARAGRAPH II - SAID MINOR, ON OR ABOUT JUNE 10, 1966, AT AND IN THE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DID WILFULLY, UNLAWFULLY
AND FELONIOUSLY OFFER TO SELL, FURNISH OR GIVE AWAY A NARCOTIC, TO
WIT, MARIJUANA; THEREBY VIOLATING SECTION 11531 OF THE HEALTH AND
SAFETY CODE.

THE FOREGOING UNVERIFIED PETITION IS A REPETITION IN SUM AND SUBSTANCE
OF CASE NUMBER 324984 CERTIFIED TO THE JUVENILE COURT BY THE SUPERIOR
COURT OF THE STATE OF CALIFORNIA, DEPARTMENT NE A.

The name and residence address of each parent and guardian of minor, known to me, is as
follows:

MOTHER: MARY SIRHAN, 696 EAST HOWARD STREET, PASADENA, CALIFORNIA
FATHER: BISHARA SIRHAN - whereabouts unknown

The name and residence address of an adult relative residing within the county, or if there is no such
person known, the name and residence address of the adult relative known to me to reside nearest to the
court, is:

Minor was taken into custody by

on at M. Minor IS detained. The present
whereabouts of minor is LOS ANGELES COUNTY JAIL (HONOR RANCHO).

THEREFORE, petitioner respectfully requests that this minor be adjudged and declared a ward of the
Juvenile Court and dealt with as such.

LELAND C. CARTER, PROBATION OFFICER, Petitioner

By

W. A. DICKERSON

Deputy Probation Officer

I certify under penalty of perjury that the foregoing is true and correct, according to my information and
belief.

Executed on (date)

JULY 13, 1967

Executed at (city)

LOS ANGELES

, California.

Court Date

7-21-67

DEPT. SFV

School

NO

Date filed with Juvenile Court Clerk

JULY 13, 1967

Signed:

WAD:KMM

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

JUVENILE COURT ON DETENTION CALENDAR

In the Matter of

MUNA SIRHAN a minor
19 years

No. 343777-0235062 FO

FINDINGS AND ORDER OF REFEREE

APPEARANCES:

Minor
Mother, Mary Sirhan
Brother, Adel Sirhan
Atty David C. Marcus, for minor
Deputy Probation Officer Leon
Court Reporter W. Roschman

This matter came on regularly to be heard on this date before me, a referee of this court, and evidence having been received and considered, I find:

1. That notice of this hearing has been duly given as required by law.
 2. That the allegations of the petition (as amended) filed July 13, 1967 are true, as admitted by counsel on behalf of minor and said petition is sustained.
 3. That the above named minor comes with the provisions of section 602 of the Juvenile Court Law.
 4. That minor was born on July 15, 1947.
 5. That minor's counsel represented to the Court that Judge Leopoldo Sanchez agreed to the certification of this matter. The findings of guilty in Superior Court Case Number 324984 were ordered vacated. The case was certified by Judge Noble, Pasadena Superior Court.
 6. That minor and mother waive notice of further hearing and request immediate adjudication of the petition.
- THEREFORE, IT IS ORDERED AND ADJUDGED THAT:

Case is continued for disposition to the appearance calendar of

July 31, 1967, 1:45 P.M.

Certification of Case Number 324984 from the Superior Court of the State of California, Department ME A is hereby accepted.

The petition filed July 13, 1967, is amended to show the father's name and address as, "BISHARA SIRHAN - Whereabouts unknown."

Minor is detained at the Los Angeles County Jail pending further hearing.

Minor's mother is ordered to return without further notice or subpoena.

Dated: July 14, 1967
BERG:kk

Referee of Juvenile Court

Names and addresses of persons to be notified:

MINOR: L.A. County Jail
MOTHER: Mary Sirhan, 696 East Howard St., Pasadena, Calif.
ATTY: David C. Marcus, 215 W. 5th St., L.A. 13, Calif.

FINDINGS AND ORDER OF REFEREE (no Judge's signature required)
ADJUDICATION HEARING

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

JUL 11 1967

File: A 10 711 679 - Los Angeles

In the Matter of)

MUNIR BISHARA SALAMAH SIRHAN,)

Respondent)

AN DEPORTATION PROCEEDING

CHARGE:

IGN Act - Section 241(a)(11), convicted of violation
of law relating to illicit possession of
marijuana (Section 11590, Health and Safety
Code of California)

APPLICATION: Termination of Proceedings

ON BEHALF OF RESPONDENT:

David C. Marcus,
Attorney at Law
215 West 5th Street
Los Angeles, California

ON BEHALF OF SERVICE:

William S. Marshall
Special Attorney
Los Angeles, California

DECISION OF THE SPECIAL INQUIRY OFFICER

Respondent is a 19-year-old native of Palestine and a citizen of Jordan. He entered the United States at New York, New York, on January 12, 1957, when he was admitted as an immigrant. Respondent is charged herein with being subject to deportation under the provisions of Section 241(a)(11) of the Immigration and Nationality Act on the ground that he at any time has been convicted of a violation of any law or regulation relating to the illicit possession of marijuana in violation of Section 11590 of the Health and Safety Code of the

State of California. This charge is denied by the respondent who also denies that he was on October 12, 1966, convicted in the Superior Court of the State of California, for the County of Los Angeles for the offense of unlawful possession of marijuana in violation of Section 11530 of the Health and Safety Code of the State of California.

The record establishes through a certified copy of information, Minutes of October 13, 1966 and Minutes of December 1, 1966 that a criminal action was instituted against the respondent by the filing of an information in the Superior Court of the State of California, for the County of Los Angeles in which the respondent was accused of the crime of violation of Section 11530, Health and Safety Code, committed on or about June 10, 1966, for unlawful possession of marijuana (Count I) and a violation of Section 11531, Health and Safety Code of California committed on the same day, for unlawfully offering to sell, furnish and give away marijuana (Count II). The case was submitted to the court by stipulation on the testimony contained in the transcript of proceedings had at the preliminary hearing and the Superior Court on October 13, 1966 found the respondent guilty as charged as to both counts. On December 1, 1966, the proceedings were suspended and the respondent was granted probation for five years, a condition of which was that he spend the first year in the county jail (Exhibit 2).

On May 25, 1967, a Minute Order was entered in the aforementioned criminal action which states as follows: "Finding of 'Guilty' is vacated and defendant is certified to Juvenile (also) Court. Remanded."

(Exhibit 4). The Government's Trial Attorney objected to the receipt in evidence of this latest court order on the ground that the Superior Court was without any authority to enter it and it therefore constitutes an invalid order. Respondent's counsel has represented that, pursuant to the aforementioned certification, the Juvenile Court has accepted jurisdiction of the matter.

Article VI, Section 5, Constitution of California provides that "The superior courts shall have original jurisdiction in all criminal cases amounting to felony and cases of misdemeanor not otherwise provided for." Section 737 of the Penal Code of California provides that "All public offenses triable in the superior court must be prosecuted therein by indictment or information, except as provided in the Government Code, the Juvenile Court Law and Section 859a of this code." Section 794 of the California Penal Code provides that "Where an offense is within the jurisdiction of two or more courts, a conviction or acquittal thereof in one court is a bar to a prosecution therefor in another."

The present Juvenile Court Law is found in the Welfare and Institutions Code of California, Sections 550, et seq. Section 602 thereof provides as follows:

"Any person under the age of 21 years who violates any law of this State or of the United States or any ordinance of any city or county of this State defining crime or who, after having been found by the Juvenile Court to be a person described by Section 601, fails to obey any lawful order of the juvenile court, is within the jurisdiction of the juvenile court, which may adjudge such person to be a ward of the court."

The Superior Court exercises the jurisdiction of the juvenile court and while sitting as such is known as the juvenile court (Sec. 550,

W and I Code) No criminal offense charged against a person under the age of 18 years at the time of the alleged commission thereof may be tried by any court "unless the matter has first been submitted to the juvenile court by petition as provided in Article 7 (commencing with Section 650), and said juvenile court has made an order directing that such person be prosecuted under the general law. (Section 603, W and I Code). This respondent was born on July 15, 1947 and accordingly, was not under the age of 18 years at the time of the alleged commission, on June 10, 1966, of the aforementioned offenses. The respondent did not, therefore, come under the mandatory certification to the juvenile court provisions of Section 604(a) of the Welfare and Institutions Code.

Section 604(b), Welfare and Institutions Code of California, provides as follows:

"(b) Whenever a case is pending in any court upon an accusatory pleading and it appears to the satisfaction of the judge that the person charged is under the age of 21 years, the judge may certify the case to the juvenile court of his county in manner prescribed by subdivision (a) of this section." (emphasis supplied)

Section 604(c) of the Welfare and Institutions Code of California provides as follows:

"(c) When a court certifies a case to the juvenile court pursuant to subdivision (a) or subdivision (b), it shall be deemed that jeopardy has not attached by reason of the proceedings prior to certification, but the court may not resume proceedings, nor may a new proceeding under the general law be commenced in any court with respect to the same matter unless the juvenile court has found that the minor is not a fit subject for consideration under

Juvenile Court Law and has ordered that proceedings under the general law resume or be commenced."

The problem in this case is what effect, if any, was had upon the judgment of conviction entered on October 13, 1966 (Exhibit 2) by the Minute Order entered by another judge of the same Superior Court on May 25, 1967 vacating the finding of "guilty" and certifying the case to the Juvenile Court, presumably under the provisions of Section 604(b), Welfare and Institutions Code. (Exhibit 4). The said section permits the discretionary certification to the juvenile court "whenever a case is pending in any court." (emphasis supplied). The record indicates that the criminal case against the respondent was not "pending" on May 25, 1967 but appears to have become a final judgment upon the expiration of 10 days after the rendition of the judgment, aforementioned, on October 13, 1966 without notice of appeal having been filed therein, as provided by Rule 31, Judicial Council (California Penal Code, Section 1247k).

The California Evidence Code provides the following rebuttable presumption:

"Section 666. Judicial Action Lawful Exercise of Jurisdiction. Any court of this state or the United States, or any court of general jurisdiction in any other state or nation, or any judge of such a court, acting as such, is presumed to have acted in the lawful exercise of its jurisdiction. This presumption applies only when the act of the court or judge is under collateral attack."

The question of whether a court has jurisdiction to make an order may be raised in any forum (Matter of H-, 9 I&N Dec. 460, Board of Immigration Appeals, 1961). Prior to the enactment of the California Evidence Code, effective January 1, 1967, it was held in one

California case that a void order or judgment is subject to collateral attack at any time and in any place by any interested party. (Carter v. Carter, 1957, 148 C. A. 2d 845, 307 P. 2d 630). Even prior to the enactment of Section 666, California Evidence Code, aforementioned, the Board of Immigration Appeals held that lack of judicial jurisdiction by a court must be affirmatively established by the Service. (Matter of O'Sullivan, 1963, 10 I&N Dec. 320). Section 242(b)(4) (8 U.S.C. 1252(b)(4)) requires that "no decision of deportability shall be valid unless it is based upon reasonable, substantial, and probative evidence."

It is well settled that the sentence in a criminal case is a final judgment of conviction (cf. Matter of T-, 6 I&N Dec. 835). The aforementioned Minute Order of May 25, 1967 (Exhibit 4) does not recite any section of law or other authority for its exercise. It does not appear to constitute the granting of a writ of error coram nobis or the granting of a motion to set aside the judgment within the period of time permitted for such a motion. There is no provision known to me in California law which permits the vacating of a final judgment of conviction more than 6 months thereafter, with no intervening appeal, writ of error coram nobis or motion to set aside the judgment. It must be and is concluded that the Minute Order of the Superior Court entered on May 25, 1967, aforementioned, was entered when the proceedings herein were no longer "pending", therefore, entered without jurisdiction over the subject matter and of no force or effect. The respondent's motion for termination of these proceedings must and will be denied.

The allegations of fact and charge of deportability contained in the Order to Show Cause herein are hereby adopted by me on the findings of fact and conclusion of law.

In view of the recency of respondent's conviction, on which he is still confined and serving the aforementioned term of probation, it is concluded that the respondent is ineligible for any form of discretionary relief from deportation. His deportation must and shall be ordered.

ORDER: IT IS ORDERED that the respondent's application for continuation of these proceedings be and it is hereby denied.

IT IS FURTHER ORDERED that the respondent be deported from the United States to Jordan on the charge contained in the Order to Show Cause.

Michael F. Leong
Special Inquiry Officer

A 10 711 879

- 7 -

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

MATTER OF

MUNIR BISHARA SALAMEH SIHAN

Respondent

FILE A 10 711 879

IN DEPORTATION PROCEEDINGS

TRANSCRIPT OF HEARING

Before Special Inquiry Officer Michael F. Leone

Hearing held on January 24, 1967

Los Angeles County Central Jail
at Los Angeles, California 90012

Recorded by Cray Keymotor Machine

Transcribed by Ida Polsky
Clerk-Transcriber

Official
Interpreter ---

Language English

IN BEHALF OF SERVICE:

No one

Trial Attorney

Station

IN BEHALF OF RESPONDENT:

Jerry Coons, Esq.

2700 West 3rd Street

Los Angeles, California 90057

I hereby certify that to the best of my knowledge and belief the following pages numbered 1
through 5 are a complete and accurate transcript of the above-described hearing.

Michael F. Leone

Signature

Special Inquiry Officer

Title

JAN 18 1968

1 THE SPECIAL INQUIRY OFFICER TO RESPONDENT:

2 Q Mr. Sirhan, you are informed that this is a hearing to determine
3 whether you are subject to deportation from the United States as charged
4 by the Immigration and Naturalization Service. Do you understand that?

5 A Yes.

6 Q And does Mr. Coons, who is here with you, represent you as your counsel
7 in this matter?

8 A Yes.

9 Q Through Mr. Coons, you will be given a reasonable opportunity to examine
10 and to object to any evidence offered against you, to question any
11 witnesses that may be presented against you, and to present evidence in
12 your own behalf. Do you understand these rights?

13 A Yes.

14 Q Please stand and raise your right hand to be sworn. Do you solemnly
15 swear that the testimony you will give in these proceedings will be the
16 truth, the whole truth and nothing but the truth, so help you God?

17 A I do.

18 Q What is your name, sir?

19 A Munir Bishara Salamah Sirhan.

20 Q Would you please repeat that for me again?

21 A Munir Bishara Salamah Sirhan.

22 Q I have before me and I present through your counsel, Mr. Coons, for your
23 inspection an Order to Show Cause and Notice of Hearing in deportation
24 proceedings, dated January 11, 1967, addressed to Mr. Munir Bishara
25 Salamah Sirhan, and I ask you if you are the respondent so named in this
26 Order?

A 10 711 879

- 1 -

1/24/67

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

FORM 1-299
(9-28-65)

1 A Yes.

2 THE SPECIAL INQUIRY OFFICER:

3 The said Order is entered in evidence as Exhibit No. 1.

4 THE SPECIAL INQUIRY OFFICER TO MR. COONS:

5 Mr. Coons, does the respondent waive formal reading and explanation
6 of the contents of the Order to Show Cause?

7 MR. COONS:

8 We waive formal reading.

9 THE SPECIAL INQUIRY OFFICER:

10 And how does he plead to the truth of the five allegations of fact as
11 stated in the Order, Mr. Coons?

12 MR. COONS:

13 Taking them one by one, he admits that he is not a citizen or national
14 of the United States.

15 THE SPECIAL INQUIRY OFFICER TO MR. COONS:

16 You may refer to the paragraph by number, sir. In other words, he
17 admits allegation No. 1?

18 MR. COONS:

19 He admits allegation No. (1). He denies allegation No. (2).

20 THE SPECIAL INQUIRY OFFICER:

21 Both parts?

22 MR. COONS:

23 Both parts. He admits allegation No. (3). He denies allegation No. (4);
24 and admits allegation No. (5). With respect to allegation No. (4), he
25 does not deny that he came in in a technical immigrant status. And the
26 point on that is merely that he claims that he came in as a refugee

A 10 711 879

- 2 -

1/24/67

FORM 1-299
(9-28-65)

TRANSCRIPT OF HEARING
United States Department of Justice — Immigration and Naturalization Service

1 immigrant.

2 THE SPECIAL INQUIRY OFFICER:

3 Very well. And how does the respondent plead to the charge of deporta-
4 bility as contained in the Order to Show Cause? Does he admit or deny
5 deportability as charged?

6 MR. COONS:

7 With regard to the allegation of deportability, the respondent denies
8 deportability.

9 THE SPECIAL INQUIRY OFFICER TO RESPONDENT:

10 Q Mr. Sirhan, in the event that you are finally found to be deportable
11 and ordered deported, to what country do you desire to be sent?

12 A At this time I decline to name any country.

13 Q Of what country are you a citizen?

14 A I have no personal knowledge of what country I am a citizen of, so I
15 don't know what country I will choose or what will be chosen. Of what
16 country I am a citizen, I don't know.

17 Q Mr. Sirhan, I have before me a certified court record of the Superior
18 Court of California for the County of Los Angeles in the matter of
19 The People of the State of California, Plaintiff, v. MUHIB BISHARA
20 SALAMEH SIRHAN, and I present this through your attorney. And upon the
21 basis of your admission of allegation of fact No. (5), I ask you if this
22 is the record covering that same conviction which you have already ad-
23 mitted. In other words, are you the defendant in this record of pro-
24 ceedings, and does it relate to the conviction stated in allegation of
25 fact No. (5), and I present it through your attorney, Mr. Coons?

26 BY MR. COONS:

A 10 711 879

- 3 -

1/24/67

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 The respondent is the person named in this court record. This appears
2 to be a true copy of the court record, and it is so stipulated.

3 THE SPECIAL INQUIRY OFFICER TO MR. COONS:

4 Any objection, Mr. Coons, to the receipt in evidence of the said court
5 record?

6 MR. COONS:

7 No objection to its receipt in evidence.

8 THE SPECIAL INQUIRY OFFICER:

9 The said record is collectively entered in evidence as Exhibit No. 2.
10 In view of the respondent's denial of the allegations contained in
11 paragraph No. 2 of the Order to Show Cause and his denial of the de-
12 portation charge, it will be necessary to request the appearance of
13 a Trial Attorney in this matter to represent the Immigration and Natural-
14 ization Service. Therefore, the matter will at this time be continued
15 by me without date certain but subject to my further call, and it is
16 suggested that counsel confer with the Government's Trial Attorney as
17 to a date, place, and time that is mutually satisfactory and permitted
18 by my calendar. Is that agreeable, Mr. Coons?

19 MR. COONS:

20 That's agreeable.

21 THE SPECIAL INQUIRY OFFICER:

22 Any evidence desired to be submitted on behalf of the respondent at
23 this time?

24 MR. COONS:

25 Not at this time, but at the further hearing we may submit evidence.

26 THE SPECIAL INQUIRY OFFICER:

A 10 711 879

- 4 -

1/24/67

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Very well, then, the hearing in this matter is hereby continued.

HEARING ADJOURNED

A 10 711 879

- 5 -

1/24/67

FORM 1-299
(9-28-65)

TRANSCRIPT OF HEARING
United States Department of Justice — Immigration and Naturalization Service

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

MATTER OF

FILE A 10 711 879 - Los Angeles

MUNIR BISHARA SALAMEH SIRHAN

IN DEPORTATION PROCEEDINGS

Respondent

TRANSCRIPT OF HEARING

Before Special Inquiry Officer Benjamin G. Myron

CONTINUED
Hearing held on February 14, 1967

Los Angeles County Jail
at Los Angeles, California

Recorded by Gray Keynoter Machine

Transcribed by Ida Polsky
Clerk-Transcriber

Official
Interpreter ---

Language English

IN BEHALF OF SERVICE:

Sam I. Feldman
Trial Attorney
Los Angeles, California
Station

IN BEHALF OF RESPONDENT:

David C. Marcus, Esq.
215 West 5th Street
Los Angeles, California 90013

I hereby certify that to the best of my knowledge and belief the following pages numbered 6
through 8 are a complete and accurate transcript of the above-described hearing.

Benjamin G. Myron
Signature

Special Inquiry Officer
JAN 22 1968

1 THE SPECIAL INQUIRY OFFICER TO RESPONDENT:

2 Q Mr. Sirhan, you speak and understand English, do you not?

3 A Yes, I do.

4 Q This is a continued hearing in deportation proceedings for the purpose
5 of giving you an opportunity to show cause why you should not be de-
6 ported from the United States. Do you understand?

7 A Yes, I do.

8 Q There is presently with you at this hearing Attorney David C. Marcus.
9 Is it your desire that Mr. Marcus represent you at this proceeding?

10 A Yes.

11 Q Now I note from the file that you were previously represented by
12 Attorney Jerry Coons. Does Mr. Coons still represent you?

13 A No.

14 Q Then Mr. Marcus is representing you now in place of Mr. Coons. Is that
15 correct?

16 A Correct.

17 THE SPECIAL INQUIRY OFFICER TO MR. MARCUS:

18 Very well. Mr. Marcus, as you are aware, you will have a reasonable
19 opportunity to examine and to object to the evidence against the re-
20 spondent, to present evidence in his behalf, and to cross-examine any
21 witnesses that may be presented by the Government. Are you ready to
22 proceed?

23 MR. MARCUS:

24 I am not ready to proceed, sir.

25 THE SPECIAL INQUIRY OFFICER:

26 And why are you not ready to proceed, Mr. Marcus?

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2/14/67

1 MR. MARCUS:

2 I was retained on Saturday last. This is my first interview with the
3 respondent. I intend to take certain proceedings in the Superior Court
4 relating to the charges upon which the Order to Show Cause is predicated.
5 I would ask that the matter be placed off calendar at this time until
6 I have completed the proceedings that I intend to take in the Superior
7 Court.

8 THE SPECIAL INQUIRY OFFICER:

9 How long do you anticipate that those proceedings will take, Mr. Marcus?

10 MR. MARCUS:

11 Within the next 30 days.

12 THE SPECIAL INQUIRY OFFICER:

13 Well, I will not take the case off calendar, but I will adjourn it
14 without date and the case will be notified for hearing the next time
15 hearings are held at the County Jail here. I anticipate that that will
16 be a matter of several weeks or possibly a month or more.

17 MR. MARCUS TO THE SPECIAL INQUIRY OFFICER:

18 Sir, may I inquire as to whether or not there is a warrant on this case?
19 Is there a bail set on the warrant?

20 THE SPECIAL INQUIRY OFFICER:

21 Well, Mr. Marcus, that is outside the province of the hearing. You may
22 discuss that with the Trial Attorney after the hearing.

23 THE SPECIAL INQUIRY OFFICER TO MR. FELDMAN:

24 Mr. Feldman, there is nothing you want to present at this time is there?

25 MR. FELDMAN:

26 No, sir.

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2/14/67

TRANSCRIPT OF HEARING

FORM 1-299
(9-28-65)

United States Department of Justice — Immigration and Naturalization Service

1 THE SPECIAL INQUIRY OFFICER:

2 There being nothing further, I will at this time adjourn this hearing
3 without date. The parties will be advised as to the date for the
4 continued hearing.

5 HEARING ADJOURNED
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A 10 711 879

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2/14/67

TRANSCRIPT OF HEARING

FORM I-299
(9-28-65)

United States Department of Justice — Immigration and Naturalization Service

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

MATTER OF

FILE A 10 711 879 - Los Angeles

MUNIR BISHARA SALAMEH SIRHAN

IN DEPORTATION PROCEEDINGS

Respondent

TRANSCRIPT OF HEARING

Before Special Inquiry Officer Michael F. Leone

CONTINUED

Hearing held on April 11, 1967

Los Angeles County Central Jail
at Los Angeles, California 90012

Recorded by Gray Keynoter Machine

Transcribed by Ida Polsky
Clerk-Transcriber

Official
Interpreter ***

Language English

IN BEHALF OF SERVICE:

William S. Howell

Trial Attorney

Los Angeles, California

Station

IN BEHALF OF RESPONDENT:

David C. Marcus, Esq.

215 West 5th Street

Los Angeles, California 90013

I hereby certify that to the best of my knowledge and belief the following pages numbered 9
through 12 are a complete and accurate transcript of the above-described hearing.

Michael F. Leone

Signature

Special Inquiry Officer

Title

JAN 22 1968

1 THE SPECIAL INQUIRY OFFICER TO MR. HOWELL:

2 Mr. Howell, are you today appearing as Trial Attorney in this matter
3 in place of Sam I. Feldman?

4 MR. HOWELL:

5 Yes, sir.

6 THE SPECIAL INQUIRY OFFICER:

7 For your information, in pleading to the Order to Show Cause through
8 then
9 his/counsel, Jerry Coons, the respondent, on January 24, 1967, ad-
10 mitted the truth of allegations numbered (1), (3) and (5) as stated
11 in the Order to Show Cause; denied both parts of allegation number (2)
12 and number (4); and, as to number (4), admitted that he was admitted
13 at the time, but denied that it was as an immigrant and asserts that
14 it was as a refugee and denied the deportation charge. The respondent
15 testified that he had no personal knowledge as to his citizenship
16 and declined to name a country for deportation; and, for lack of
17 evidence of such citizenship or admission of any citizenship by the
18 respondent, no country was specified by me, as Special Inquiry Officer,
19 at that original hearing. At a continued hearing held on February 14,
20 1967, in my absence from duty, before Special Inquiry Officer
21 Benjamin G. Myron, the hearing of the matter was, upon the request of
22 respondent's present counsel, David C. Marcus, continued for the
23 purpose of affording Mr. Marcus an opportunity to familiarize himself
24 and prepare the respondent's defense.

25 THE SPECIAL INQUIRY OFFICER TO MR. HOWELL:

26 You may proceed, Mr. Howell.

MR. HOWELL TO RESPONDENT:

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TRANSCRIPT OF HEARING

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1 Q For purposes of identification, Mr. Sirhan, I show you an immigrant
2 visa and the application that are combined as one here, relating--
3 (interrupted)

4 BY MR. MARCUS:

5 I will stipulate that it relates to him.

6 MR. HOWELL TO THE SPECIAL INQUIRY OFFICER:

7 I have showed this to counsel and he stipulates that this visa re-
8 lates to the respondent herein, and so I offer it in evidence to be
9 marked as an Exhibit next in order.

10 MR. MARCUS:

11 No objection.

12 THE SPECIAL INQUIRY OFFICER:

13 There being no objection, the said immigrant visa together with its
14 application and supporting attached documents is received in evidence
15 as Exhibit No. 3.

16 MR. HOWELL:

17 That completes all the evidence that the Government wishes to submit.

18 There are no questions at this time.

19 MR. MARCUS:

20 At this time on the record I am respectfully requesting a continuance
21 of this matter. I have prepared a motion to the Superior Court of
22 the County of Los Angeles at Pasadena, requesting a vacation of the
23 trial proceedings had in the Superior Court for the purpose of
24 certifying this matter to the Juvenile Court and because of the age
25 of the respondent at the time of the alleged commission of this offense.
26 I have noted the hearing for April 26th, in Department A of the

A 10 711 879

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TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

FORM I-299
(9-28-65)

1 Superior Court before the Honorable Judge Noble. I would ask,
2 therefore, that these proceedings be continued until that date
3 because, in conversations that I have had with the Court and with
4 the District Attorney, it is my impression that the motion will be
5 granted and it will render these proceedings moot.

6 THE SPECIAL INQUIRY OFFICER:

7 Before acting upon the motion for continuance I wish to comply with
8 the requirements of the regulations and designate a country for de-
9 portation in the event that the respondent is finally ordered deported.
10 The respondent has, I believe I mentioned before, declined to name
11 a country for deportation at the original hearing held on January 24,
12 1967.

13 THE SPECIAL INQUIRY OFFICER TO RESPONDENT:

14 Q Mr. Sirhan, you are informed that if you are finally ordered deported
15 your deportation will be directed to Jordan, the country of nationality
16 shown in the application for your immigrant visa executed by your
17 father before the American Vice Consul at Amman, Jordan, September 22,
18 1956, which is Exhibit 2 in evidence. Do you understand?

19 A Yes, sir.

20 Q Do you claim that you would be subject to persecution in Jordan if
21 deported to that country by reason of your race, your religion, or
22 political opinion?

23 A I wouldn't know what would happen at the time.

24 Q You and your attorney, Mr. Marcus, are informed that if you claim that
25 you would be subject to persecution by reason of your race, religion,
26 or political opinion in Jordan if you are finally ordered deported

A 10 711 879

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TRANSCRIPT OF HEARING

4/11/67

1 to that country you will be required to file a written application
2 claiming the benefits of Section 243(h) of the Immigration and Nation-
3 ality Act within ten calendar days following the next hearing.

4 THE SPECIAL INQUIRY OFFICER TO MR. MARCUS:

5 Is that understood and satisfactory, Mr. Marcus?

6 MR. MARCUS:

7 It is, sir.

8 THE SPECIAL INQUIRY OFFICER TO MR. HOWELL:

9 And Mr. Howell?

10 MR. HOWELL:

11 Yes, sir.

12 THE SPECIAL INQUIRY OFFICER:

13 Now, Mr. Howell, do you wish to be heard upon the request for a
14 continuance previously made by Mr. Marcus?

15 MR. HOWELL:

16 I will not object to one more continuance for this purpose.

17 THE SPECIAL INQUIRY OFFICER:

18 The hearing in this matter will be continued without date certain
19 at this time and subject to my further call on some date subsequent
20 to April 26, 1967. Hearing continued.

21 HEARING ADJOURNED

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A 10 711 879

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4/11/67

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

MATTER OF

FILE A 10 711 879

MUNIR BISHARA SALAMEH SIRHAN

IN DEPORTATION PROCEEDINGS

Respondent

TRANSCRIPT OF HEARING

Before Special Inquiry Officer Michael F. Leone

CONTINUED

Hearing held on June 6, 1967

Los Angeles County Central Jail
at Los Angeles, California 90012

Recorded by Gray Keynote Machine

Transcribed by Ida Polsky
Clerk-Transcriber

Official
Interpreter ---

Language English

IN BEHALF OF SERVICE:

William S. Howell, Esq.
Trial Attorney

Los Angeles, California
Station

IN BEHALF OF RESPONDENT:

David C. Marcus, Esq.
Attorney at Law
215 West 5th Street

Los Angeles, California 90013

I hereby certify that to the best of my knowledge and belief the following pages numbered 13
through 15 are a complete and accurate transcript of the above-described hearing.

Michael F. Leone
Signature

Special Inquiry Officer
Title

JAN 22 1968

1 THE SPECIAL INQUIRY OFFICER:

2 This matter was last heard on April 11, 1967, at which time re-
3 spondent's counsel was granted a continuance for the purpose of
4 awaiting the determination of certain pending judicial proceedings.
5 Mr. Marcus, you may proceed.

6 MR. MARCUS TO THE SPECIAL INQUIRY OFFICER:

7 At this time I offer in evidence the Minutes of the Superior Court
8 of the County of Los Angeles, dated May 25, 1967, in the matter
9 entitled, "The People of the State of California v. Munir Bishara
10 Salameh Sirhan," which provides as follows: "Finding of 'Guilty'
11 is vacated and defendant is certified to Juveniel (sic) Court.
12 Remanded."

13 THE SPECIAL INQUIRY OFFICER TO MR. HOWELL:

14 Any objection, Mr. Howell?

15 MR. HOWELL:

16 Yes. There is no showing that the Court was with the proper
17 authority granting such an order to set aside the finding of guilt
18 and the sentence in this case.

19 THE SPECIAL INQUIRY OFFICER:

20 But no objection to the verity of the order itself or its certifica-
21 tion, I mean?

22 MR. HOWELL:

23 As to that, no, sir, there is no objection.

24 THE SPECIAL INQUIRY OFFICER:

25 Only as to its legal effect?

26 MR. HOWELL:

A 10 711 270

TRANSCRIPT ¹³ OF HEARING

6/6/67

1 That's right.

2 THE SPECIAL INQUIRY OFFICER:

3 Very well. The objection is overruled. The said certified copy
4 of Superior Court Minute Order dated May 25, 1967 is received in
5 evidence as Exhibit No. 4.

6 THE SPECIAL INQUIRY OFFICER TO MR. MARCUS:

7 Mr. Marcus, can you inform us as to whether any proceedings were had
8 in the Juvenile Court pursuant to this Minute Order?

9 MR. MARCUS:

10 The matter was accepted by the Juvenile Court, sir, by the Honorable
11 Leon Sanchez, the presiding judge of Department 99. The respondent
12 here is now under the jurisdiction of the Juvenile Court.

13 THE SPECIAL INQUIRY OFFICER:

14 Any Orders or Judgments entered in these same proceedings; in other
15 words, touching upon the original charge of unlawful possession of
16 marijuana in the Juvenile Court?

17 MR. MARCUS:

18 Sir, I have no knowledge at this time what the Juvenile Court will make
19 with respect to Orders in the case. Having accepted the case, and
20 having considered the matter, I can only suggest that the Juvenile
21 Court now has jurisdiction of the respondent.

22 THE SPECIAL INQUIRY OFFICER:

23 But you are not aware of any Orders or Judgments entered by that
24 Court concerning the charge which is the subject of a deportation
25 charge?

26 MR. MARCUS:

A 10 711 879

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6/6/67

TRANSCRIPT OF HEARING

FORM I-299
(9-28-65)

United States Department of Justice — Immigration and Naturalization Service

1 No, sir.

2 THE SPECIAL INQUIRY OFFICER TO MR. HOWELL:

3 Anything further for the Government, Mr. Howell?

4 MR. HOWELL:

5 Nothing, sir.

6 THE SPECIAL INQUIRY OFFICER TO MR. MARCUS:

7 Anything further for the respondent, Mr. Marcus?

8 MR. MARCUS:

9 The respondent rests, sir. Nothing further.

10 THE SPECIAL INQUIRY OFFICER:

11 As soon as practicable, I shall enter my written decision, a copy
12 of which will be served upon both the Government's Trial Attorney
13 and respondent's counsel; and, if adverse, the said decision will
14 be accompanied by the necessary appeal forms and appropriate in-
15 structions for the taking of any appeal that may be desired to be
16 taken therefrom. This hearing is closed.

17 HEARING IS CLOSED

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A 10 711 879

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6/6/67

TRANSCRIPT OF HEARING

FORM I-299
(9-28-65)

United States Department of Justice — Immigration and Naturalization Service

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
300 NORTH LOS ANGELES STREET
LOS ANGELES, CALIFORNIA 90012

DISTRICT FILE No. A10 711 879

A. R. No. A10 711 879

DATE August 2, 1967

ORDER OF RELEASE ON RECOGNIZANCE

In the case of Munir Bishara Salameh Sirham
who has been arrested in deportation proceedings.

It appearing that said alien may be conditionally released as provided in Section 242 of the Immigration and Nationality Act, it is hereby ordered that such alien be released on his own recognizance and permitted to be and remain at large during compliance with the following conditions:

1. That said alien shall produce himself when required to do so for the purpose of defending himself against the charge or charges under which he was taken into custody and any other charge which subsequently may be lodged against him;
2. That said alien shall produce himself for furnishing additional information or for deportation when requested to do so after a final order of deportation has been entered;
- 3a. That said alien shall not change (his) (her) place of residence from Southern California
(Immigration district, State or city)
without first securing written permission of the Officer in Charge of the Immigration and Naturalization Service at the address shown in (4) at least 48 hours prior to such contemplated change.
- 3b. That said alien shall notify the Officer in Charge of the Immigration and Naturalization Service at the address shown in (4) hereof of any change in residence or employment within 48 hours after change is made.
4. That said alien shall report in (writing) (person) on the 1st working..... day of each
Month..... at 10:30..... (a. m.) (p.m.) to the Officer in Charge of the Immigration
(Week) (Month)
and Naturalization Service at 300 North Los Angeles Street
Los Angeles, California Room 8024
The written report shall contain (a) the name, (b) alien registration number, (c) date,
(d) current address, (e) place of employment, (f)
5. That said alien shall conduct himself in a peaceable, law-abiding manner.

6.

FORM 100A
(Rev. 6-15-67)

(OVER)

7.
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.....

Los Angeles, California

(Place)

James M. Carson
James M. Carson, Immigrant Inspector
(Officer in Charge, Immigration and Naturalization Service)

I, Munir Bishara Salameh Sirhan, hereby acknowledge that I have

(read) (had interpreted and explained in theEnglish..... language)
and understand the conditions of my release as set forth in this order, a copy of which I have received,
and further understand that failure to comply with any of these conditions may result in revocation of
my release and detention in the custody of the Immigration and Naturalization Service.

Munir B. Sirhan
(Name)

696 East Howard Street
Pasadena, California

(Address)

cc: David C. Marcus, Esquire
215 W. 5th Street
Los Angeles, California 90013

Encl: Nacha Dept. Store
141 E Colorado St
Pasadena Calif.

WARRANT

FOR ARREST OF ALIEN

United States of America

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

Los Angeles, California

No. A10 711 879

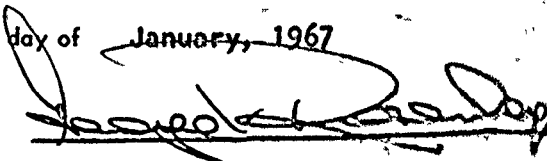
To any officer in the service of the United States Immigration and Naturalization Service

WHEREAS, from evidence submitted to me, it appears that the alien **Munir Bishara Salameh SIRHAN** who entered this country at **New York, New York** on the **12th** day of **January, 1957**, is within the United States in violation of the immigration laws thereof, and is therefore liable to being taken into custody as authorized by section 242 of the Immigration and Nationality Act.

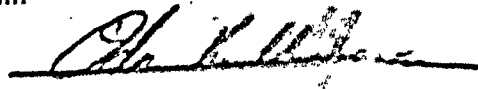
NOW, THEREFORE, by virtue of the power and authority vested in me by the immigration laws of the United States and the regulations issued pursuant thereto, I hereby command you to take the above named alien into custody for proceedings thereafter in accordance with the applicable provisions of the immigration laws and regulations. The expenses of detention hereunder, if necessary, are authorized payable from the available appropriation "Salaries and Expenses, Immigration and Naturalization Service."

For so doing, this shall be your sufficient warrant.

Witness my hand and seal this **11th** day of **January, 1967**


District Director

Served by me at Weybridge Horse Ranch, Los Angeles County, California on 1-12 1967
at 10:25 a.m. I certify that following such service, the alien was advised of his right of counsel and was furnished with a copy of this warrant.


Investigator

Form 1-200
(Rev. 4-15-58)
FPI-LPC-2-65-10M-1799

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

300 No. Los Angeles Street
Los Angeles, California
January 11, 1967

File No. A10 711 879

Mr. Munir Diahara Saleem Sirhan - #465 666
c/o Los Angeles County Jail
Los Angeles, California

Dear Sir:

Pursuant to the authority of Part 242.2, Title 8, Code of Federal Regulations, the undersigned officer has determined that pending a final determination of deportability in your case, and, in the event you are ordered deported, until your departure from the United States is effected, but not to exceed six months from the date of the final order of deportation under administrative processes, or from the date of the final order of the court, if judicial review is had, you shall be:

☐ Detained in the custody of this Service.

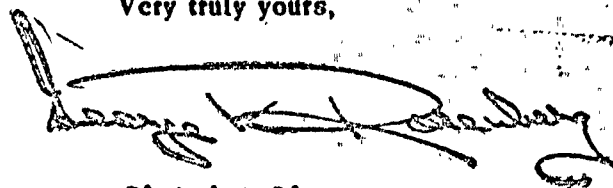
☒ Released under bond in the amount of \$ 1,000.00

☒ Released on recognizance.

R. L. Sullivan Acting
DOB 8/1/67

You may appeal from the above determination by filing a notice of appeal with the undersigned officer within five days from the date of receipt of this communication. Notice of appeal shall be filed on the attached Form I-290A, in triplicate, and be accompanied by a check or money order in the sum of \$10 made payable to the order of "Immigration and Naturalization Service, Department of Justice." The filing of such an appeal will not disturb the custody, or stay administrative proceedings or deportation in your case, pending final ruling on it.

Very truly yours,



District Director

Form I-286
(Rev. 3-15-61)