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**GOVERNOR PARDONS LONGTIME NEW YORK RESIDENT AND FATHER
OF NYPD OFFICER**

Francisco Moya de Leon, a lawful permanent resident and New Yorker since 1988, has received a pardon from Governor Paterson as part of the Governor's Immigration Pardon Panel initiative. Mr. Moya de Leon currently faces deportation for a single controlled substance possession conviction, which is over fifteen years old and for which he received a sentence of probation. Mr. Moya de Leon found himself in removal proceedings after he applied for naturalization in 2009 and was erroneously denied citizenship by the U.S. Citizenship and Immigration Services ("USCIS"). It was only after he sought naturalization and appealed the agency's decision to federal court, that Mr. Moya de Leon was placed in deportation proceedings.

Mr. Moya de Leon is hopeful that the Governor's pardon will allow him to remain in the country with his family. After immigrating from the Dominican Republic over twenty years ago, Mr. Moya de Leon has lived in Yonkers, NY, since 1997. His wife Cristina is a U.S. citizen, and Mr. Moya de Leon also has two U.S. citizen children. His son, Yerlin, is an officer with the New York City Police Department; and his daughter, Janie, is currently a senior at the Fashion Institute of Technology. "I can't tell you how much this means to me," said Mr. Moya de Leon, "to me personally, to my family, and for my case." Added Yerlin: "I feel very fortunate. It's nice to see that people in this country are getting a second chance, and that the system can take into account that a person has been trying to do better in their life and contribute to our society. We're very lucky to live in this country, and I'm grateful that my father was able to receive this chance."

Mr. Moya de Leon's case is illustrative of a trend that immigration experts have called troubling in the media and in advocacy with USCIS. Immigrants who have come forward in a good-faith effort to pursue citizenship have been increasingly targeted for removal proceedings – finding themselves not only denied naturalization, but also confronted with the prospect of deportation. "Individuals like Mr. Moya de Leon listen to the advice of USCIS by applying to fulfill the dream of becoming an American citizen. One can only imagine their shock when they find themselves in deportation proceedings, initiated by that same agency," said Angela Fernandez, Executive Director of the Northern Manhattan Coalition for Immigrant Rights. Indeed, Mr. Moya de Leon was

stunned when he was denied citizenship and then notified that the agency had initiated removal proceedings against him based on a single possession conviction that was over fifteen years old. Throughout his residency, Mr. Moya de Leon had repeatedly presented himself to immigration officials without incident. “After I renewed my green card, I thought that my past mistake had been forgiven. I applied for citizenship because that has been my dream for a long time. I was very upset when my application was denied and then when I received a notice to appear for deportation proceedings. It has been difficult for me and my family.”

Mr. Moya de Leon is currently represented by the Immigrant Rights Clinic at NYU School of Law. Students Sara Cullinane and Jessica Fan represent Mr. Moya de Leon, supervised by Nancy Morawetz, professor of clinical law at NYU. The clinic believes that Mr. Moya de Leon never should have been placed in removal proceedings following his wrongful denial and will pursue Mr. Moya de Leon’s right to have his application adjudicated fairly by the agency. The clinic, however, is encouraged by the gubernatorial pardon. Just this year, USCIS granted Mr. Qing Wu citizenship subsequent to a pardon from Governor Paterson, after Mr. Wu had been placed in removal proceedings following his application for naturalization. “The Governor’s pardon is also indicative of just how compelling Mr. Moya de Leon’s story is,” said Ms. Fan. “Individuals like Mr. Moya, who take the initiative to apply for naturalization, should not be unjustly punished for their desire to become a citizen.” Stated Professor Morawetz, “the citizenship process should not be a trap but instead a fair opportunity to show good moral character. We look forward to the day when Mr. Moya can join his fellow New Yorkers as a U.S. citizen.”

Despite the hardship that he has endured through this process, Mr. Moya de Leon remains optimistic: “I still want to become a U.S. citizen. This is my home. Hopefully the pardon will help to make that happen.”

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Please direct all immediate media inquiries about Mr. Moya de Leon’s case to Jessica Fan, Mr. Moya de Leon’s legal representative with the NYU Immigrant Rights Clinic. Ms. Fan may be reached at 617-417-7811 or by email at jessica.fan@law.nyu.edu.