

The Law Offices of
GRACE R. ALANO

598 Bosworth Street, Suite 3
San Francisco, California 94131
(415) 413-8472

November 8, 2011

Executive Office for Immigration Review
Office of the Immigration Court
120 Montgomery Street, 8th Floor
San Francisco, CA 94104

VIA HAND DELIVERY

Re: BEKKER, Stefan Jacques, Respondent
A200 321 236
Submission of Trial Brief, Adjustment of
Status, Criminal History Chart and Witness List
**Next Master Calendar Hearing: November
30, 2011 at 1:00 p.m., Immigration Judge Hayward**


Dear Sir or Madam:

I represent Mr. Stefan Bekker. My EOIR-28 is on file. Mr. Bekker's next Master Calendar Hearing is scheduled for November 30, 2011 at 1:00 p.m. Submitted are a Trial Brief in Support of the Application for Adjustment of Status; his application for adjustment of status based on his marriage to a U.S. citizen, Mrs. Amanda Bekker; a Criminal History Chart for his misdemeanor convictions; and, a Witness List.

Please note that while the application for adjustment of status submitted to the Immigration Court is the original, the Form I-765, Application for Employment Authorization Document (EAD), is a photocopy. I will be submitting the original Form I-765 to the Service Center for adjudication.

Thank you. Please contact me if you have any questions or require additional information.

Very truly yours,


GRACE R. ALANO

Attachments
cc: Office of the Chief Counsel
018/AOS filing to Immigration Court

Grace R. Alano, Bar No. 209268
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EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
BEFORE THE OFFICE OF THE IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA

In the Matter of:)
BEKKER, Stefan) File No.: A200 321 236
In Removal Proceedings)

Immigration Judge Miriam Hayward Next Hearing: November 30, 2011 at 1:00 p.m.
Assistant Chief Counsel Michael Steinberg

**SUBMISSION OF TRIAL BRIEF IN SUPPORT OF APPLICATION FOR
ADJUSTMENT OF STATUS**

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6 EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
7 OFFICE OF THE IMMIGRATION COURT
8 SAN FRANCISCO, CALIFORNIA

9
10 In the Matter of:

11 BEKKER, Stefan

12 File No.: A200 321 236

13 In Removal Proceedings
14

) TRIAL BRIEF IN SUPPORT OF
) APPLICATION FOR ADJUSTMENT OF
) STATUS
)
)
) IMMIGRATION JUDGE: Hayward
) DATE: November 30, 2011
Time 1:00 p.m.

15
16 MASTER CALENDAR HEARING

17
18 DATE: NOVEMBER 30, 2011 AT 1:00 P.M.

19
20 IMMIGRATION JUDGE MIRIAM HAYWARD

21
22 ASSISTANT CHIEF COUNSEL MICHAEL STEINBERG
23
24
25

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[illegible]

Respondent, Stefan Bekker is a 23-year-old native and citizen of South Africa, having been born in Pretoria on October 7, 1988. He currently resides in Tehachapi, California with his U.S. citizen wife, Amanda Bekker. Mr. Bekker is applying for adjustment of status under Immigration and Nationality Act ("INA") §245 as the spouse of a U.S. citizen. He is the beneficiary of an approved I-130 visa petition filed by Mrs. Bekker [WAC-11-904-13977]. See *Exhibit A*, Approved I-130 Petition, Pg. 14. Respondent has three (3) convictions for misdemeanors. See *Exhibit B*, Criminal History Chart, Pg. 16. As will be discussed, none of the convictions are for aggravated felonies nor for crimes involving moral turpitude, and thus do not render him inadmissible or deportable. Respondent has no other grounds of inadmissibility or removability.

2. PROCEDURAL HISTORY

Respondent entered the United States on August 27, 1998 at Los Angeles, California in M2 nonimmigrant status valid until August 19, 1999. He applied for adjustment of status on July 15, 2009 through a visa petition filed on his behalf by his stepfather, Kevin Earl Jelsvik. *See Exhibit C*, I-485 Decision, Pg. 29. The application was denied on May 4, 2010 because Mr. Jelsvik failed to submit documentation to substantiate a relationship between him and Respondent (i.e., submission of an original marriage certificate between Mr. Jelsvik and Respondent's mother). *Id.* at Pg. 31. Respondent married his U.S. citizen wife, Amanda Bekker on December 31, 2010. *See Exhibit D*, Marriage Certificate, Pg. 33. Ms. Bekker filed a visa petition on Respondent's behalf on May 18, 2011. *See Exhibit A*, I-130 Approval Notice, Pg. 14. It was approved on August 30, 2011. *Id.* Respondent submitted his I-485 filing fee to the Texas Service Center on October 28, 2011. *See Exhibit E*, Proof of Certified Mailing, Pg. 35. His

1 Master Calendar Hearing is scheduled for November 30, 2011 at 1:00 p.m. This Brief herewith
2 follows.

3 **3. BURDEN OF PROOF**

4 DHS has the burden of proving that alien is deportable by evidence which is clear and
5 convincing. Immigration and Nationality Act ("INA") §240(c)(3). Under 8 C.F.R. §1240.8(d),
6 the Respondent has the burden of establishing eligibility for any requested relief, benefit or
7 privilege and that it should be granted in the exercise of discretion. If the evidence indicates that
8 one or more of the grounds for mandatory denial of the application for relief may apply, the alien
9 shall have the burden of proving by a preponderance of the evidence that such grounds do not
10 apply. The Respondent has already met the clear and convincing evidence standard of INA
11 §204(a)(1)(A)(iii)(I)(aa) in showing that his marriage is bona fide, as his visa petition has already
12 been approved. *See Exhibit A*, I-130 Approval Notice, Pg. 14.
13

14 **SUMMARY OF THE ARGUMENT**

15 Respondent is not inadmissible or deportable as an aggravated felon or for having
16 committed a crime involving moral turpitude because his convictions do not fall within the list of
17 crimes classified as either an aggravated felony or crime involving moral turpitude.
18 Additionally, he is not excludable under the health related grounds of INA §212.
19

20 **ARGUMENT**

21 I. RESPONDENT IS NOT INADMISSIBLE UNDER INA §212 or REMOVABLE UNDER
22 INA §237 AS AN AGGRAVATED FELON OR FOR HAVING BEEN COMMITTED A
23 CRIME INVOLVING MORAL TURPITUDE, IS NOT EXCLUDABLE UNDER THE
24 HEALTH RELATED GROUNDS, AND IS THEREFORE ELIGIBLE TO ADJUST
25 STATUS.

A. Respondent's Convictions Are Not Aggravated Felonies.

1 § 237(a)(1)(A) of the Act renders deportable any alien (including an alien crewman) who
2 at the time of entry or adjustment of status was within one or more of the classes of aliens listed
3 as inadmissible by the law existing at such time. Any alien who is convicted of an aggravated
4 felony at any time after admission is deportable. The term "aggravated felony" is defined in
5 §101(a)(43) of the Immigration and Nationality Act. Respondent has not been convicted of an
6 aggravated felony because his convictions for public intoxication under California Penal Code
7 §647(F), a simple DUI under California Vehicle Code 23152(B), and hit and run involving only
8 property damage under California Vehicle Code 20002(A) are not crimes of violence or drug
9 trafficking crimes or otherwise any of the crimes listed under INA §101(a)(43). He is therefore
10 not deportable as an aggravated felon.
11

12 B. Respondent's Convictions Are Not Crimes Involving Moral Turpitude.

13 An alien convicted of, or who admits having committed, or who admits committing acts
14 which constitutes the essential elements of a crime involving moral turpitude (other than a purely
15 political offense) or an attempt or conspiracy to commit such a crime is inadmissible. INA §
16 212(a)(2)(A)(i)(I). Moral turpitude refers generally to conduct which is inherently base, vile, or
17 depraved, contrary to the accepted rules of morality and the duties owed between persons or
18 society in general. *See Matter of Franklin*, 20 I&N Dec. 867, 868 (BIA 1994). Moral turpitude
19 also has been defined as an act which is *per se* morally reprehensible and intrinsically wrong, or
20 *malum in se*, so it is the nature of the act itself and not the statutory prohibition of it which
21 renders a crime one of moral turpitude. *See Matter of Torres-Varela*, 23 I&N Dec. 78, 85 (BIA
22 2001); *see also Matter of Franklin, supra; Matter of Fualaau*, 21 I&N Dec. 475 (BIA 1996).
23

24 To determine whether a specific crime constitutes a crime involving moral turpitude, the
25 immigration judge may look to the language of the statute defining the crime, the specific

1 elements of the offense, and the record of conviction. See *Matter of Torres-Varela*, *supra*, at 84;
2 *Matter of L-V-C-*, 22 I&N Dec. 594 (BIA 1999); *Matter of Y-*, 1 I&N Dec. 137 (BIA 1941). This
3 approach is analogous to the categorical approach set forth in *Taylor v. United States*, 495 U.S.
4 575 (1990).

5
6 When a statute is divisible, that is, some of the prohibited conduct involves moral
7 turpitude and some does not, then the judgment of conviction may be consulted to determine the
8 nature of the underlying offense (*Matter of Vargas*, 23 I&N Dec. 651 (BIA 2004)) and if
9 necessary, to authoritative court decisions in the convicting jurisdiction that elucidate the
10 meaning of equivocal statutory language. See *Matter of Olquin*, 23 I&N Dec. 896, 897 n.1 (BIA
11 2006). A probation report cannot be considered in making the determination. See *Matter of Y-*, 1
12 I&N Dec. 137 (BIA 1941).

13
14 None of Respondent's convictions are of crimes considered to be crimes involving moral
15 turpitude as they do not require intent and were not accompanied by another behavior that
16 required intent or disregard for the safety of others. Respondent does have a conviction for a hit
17 and run under California Vehicle Code § 20002, a divisible statute. However, the conviction
18 only involved property damage to a vehicle. A person can be convicted under Vehicle Code §
19 20002 where it is established that he or she was involved in an auto accident, knew that property
20 damage occurred, and willfully left the scene without providing the necessary identification
21 information. *People v. Crouch*, 108 Cal. App. 3d Supp. 14, 21, 166 Cal. Rptr. 818 (1980). Even
22 though the willful failure to identify oneself as a driver involved in an accident carries an
23 implication of dishonesty, it is not a crime of moral turpitude. See *Cerezo v. Mukasey*, 512 F.3d
24 1163 (9th Cir. 2007). To be held turpitudinous, misdemeanors involving property damage or
25 property taking typically must contain an element of malice or of specific intent (to defraud or

1 steal). Hit and run requires neither malice nor specific or fraudulent intent. *See Id.* at 22 & n.5.
2 Additionally, even if the conviction under California Vehicle Code § 20002 was considered to
3 be a crime involving moral turpitude, Respondent would be eligible for the petty offense
4 exception under §212(a)(2)(A)(ii)(II) as the maximum sentence possible is six months, and
5 Respondent was only sentenced to three (3) days in jail. Additionally, the offense was
6 committed more than five (5) years from the date of Respondent's admission to the U.S. (in
7 1998), and, a sentence of one year or longer was not imposed. INA § 237(a)(2)(A)(i).

8
9 C. Respondent Is Not Excludable Under The Health Related Grounds of INA
10 §212(a)(1)(A)(iii).

11 Under the health-related grounds of INA §212(a)(1)(A)(iii), a person who is determined,
12 according to regulations prescribed by the Secretary of Health and Human Services (HHS)
13 to have a mental disorder and associated behavior that may pose, or has posed, a threat to
14 property, safety, or welfare of the alien or others is inadmissible. *See Exhibit "G", Memo,*
15 *Yates, Assoc. Dir.Operations (Jan. 16, 2004), published on AILA InfoNet at 04012362.* Under
16 interpretations prescribed by the Secretary HHS, alcohol abuse/dependence resulting in alcohol-
17 impaired driving may serve as the basis for a determination that an alien has a mental disorder
18 with associated harmful behavior which in turn may be a basis for a finding of inadmissibility
19 within the meaning of §212(a)(1)(A)(iii). *Id.* DHS officers determine that a health-related
20 ground of inadmissibility exists based on the findings of a civil surgeon's medical examination,
21 who may then diagnose the applicant with a Class A medical condition and certify this on the
22 Form I-693, Report of Medical Examination of Alien Seeking Adjustment of Status. *Id.* Some
23 applicants may fail to report or underreport alcohol-related driving incidents. *Id.*

1 Pursuant to the Yates Memo, only applicants with a significant criminal record of
2 alcohol-related driving incidents that were not considered by the civil surgeon during the original
3 medical examination should be referred for reexamination. *Id.* Examples are provided in the
4 memo, including:

- 5 • One or more arrest/conviction for alcohol related driving (DUI/DWI while the
6 driver's license was suspended, revoked or restricted at the time of the arrest due
7 to a previous alcohol-related driving incident(s); and,
- 8 • Two or more arrests/convictions for alcohol-related driving within the preceding
9 two years.
10

11 None of the examples provided in the memo pertain to the Respondent. He has had one
12 conviction for a DUI. *See Exhibit B, Criminal History Chart and Certified Court Dispositions,*
13 *Pg. 16.* At the time, he was not driving on a suspended, revoked, or restricted license. *Id.* Since
14 that time, he has not driven. *See Exhibit F, The Affidavit of Stefan Bekker, Pg. 49.* His hit-and-
15 run conviction did not involve the use of alcohol. *Id.; See also Exhibit B, Criminal History Chart*
16 *Pg. 16 and Exhibit F, The Affidavit of Stefan Bekker, Pg. 49¶, 5.* While he does have a recent
17 public intoxication charge, it must be reiterated that he was not driving and no longer drives. *Id.*
18 There was also no incident of violence associated with his public intoxication charge. *See*
19 *Exhibit B, Criminal History Chart and Certified Court Dispositions, Pg. 16.* Additionally, he has
20 completed his 80 hours of community service and attended Alcoholics Anonymous meetings.
21 *See Exhibit F, The Affidavit of Stefan Bekker, Pg. 49, ¶4.*
22

23 CONCLUSION

24 Respondent's convictions do not render him inadmissible or deportable. Additionally, as a
25 matter of discretion, Respondent is submitting his Affidavit and proof of rehabilitation. *See*

1 Exhibit "F". Moreover, the I-130 visa petition filed on his behalf by his U.S. citizen wife has
2 been approved by USCIS. For the foregoing reasons, this application for adjustment of status
3 should be granted.
4

5 Dated this 8th day of November, 2011.

6 

7 Grace R. Alano
8 Attorney for Respondent

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11 San Francisco, CA 94131
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EXHIBIT LIST FOR TRIAL BRIEF

Exhibit A:	Approved I-130 Petition (Immediate Relative).....	14
Exhibit B:	Criminal History Chart and Certified Court Dispositions.....	16-27
Exhibit C:	I-485 Decision.....	29-31
Exhibit D:	Marriage Certificate.....	33
Exhibit E:	Proof of Filing I-485 Fee with Texas Service Center.....	35-47
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Exhibit G:	Yates Memo: Requesting Medical Reexamination: Aliens Involved in Significant Alcohol-Related Driving Incidents and Similar Scenarios.....	54-57

Exhibit “A”

I-130 Approval Notice



RECEIPT NUMBER WAC-11-904-13977		CASE TYPE I130 IMMIGRANT PETITION FOR RELATIVE, FIANCE(E), OR ORPHAN
RECEIPT DATE May 18, 2011	PRIORITY DATE May 16, 2011	PETITIONER BEKKER, AMANDA M.
NOTICE DATE August 30, 2011	PAGE 1 of 1	BENEFICIARY A200 321 236 BEKKER, STEFAN J.
AMANDA M. BEKKER 21501 CIRCLE DR TEHACHAPI CA 93561		Notice Type: Approval Notice Section: Husband or wife of U.S. Citizen, 201(b) INA

Courtesy Copy: Original sent to: GORMAN, RICHARD J

This courtesy notice is to advise you of action taken on this case. The official notice has been mailed to the attorney or representative indicated above. Any relevant documentation included in the notice was also mailed as part of the official notice.

The above petition has been approved. We have sent the original visa petition to the Department of State National Visa Center (NVC), 32 Rochester Avenue, Portsmouth, NH 03801-2909. NVC processes all approved immigrant visa petitions that need consular action. It also determines which consular post is the appropriate consulate to complete visa processing. NVC will then forward the approved petition to that consulate.

The NVC will contact the person for whom you are petitioning(beneficiary) concerning further immigrant visa processing steps.

You should allow a minimum of 30 days for Department of State processing before contacting the NVC. If you have not received any correspondence from the NVC within 30 days, you may contact the NVC by e-mail at NVCINQUIRY@state.gov. You will need to enter the USCIS receipt number from this approval notice in the subject line. In order to receive information about your petition, you will need to include the Petitioner's name and date of birth, and the Applicant's name and date of birth, in the body of the e-mail.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

This courtesy copy may not be used in lieu of official notification to demonstrate the filing or processing action taken on this case.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NATIONAL BENEFITS CENTER

USCIS, DHS

P.O. BOX #648004

LEE'S SUMMIT MO 64064

Customer Service Telephone: (800) 375-5283



Exhibit “B”

Respondent’s Criminal History Chart
and Certified Court Dispositions

RESPONDENT'S CRIMINAL HISTORY CHART

Respondent's name: Stefan Jacques BEKKER
Respondent's A number: A200 321 236

Tab A, pp. 201	Certified Court Disposition	Superior Court of California, County of San Bernadino, Big Bear District
Tab B, pp. 204	Certified Court Disposition	Superior Court, East Division, Mojave Branch, Kern County
Tab C, pp. 209	Certified Court Disposition	Superior Court, East Division, Mojave Branch, Kern County

Tab, Pages	Arrest Date & Court Docket No.	Charges	Disposition	Immigration Consequences
A, 201	06/21/2007 TBV700079	20002(A) VC-M	Pleaded guilty, Served 3 days in jail, fine of \$110 imposed and stayed pending successful completion of probation, 36 months probation	None. Not an aggravated felony or CIMT.
B, 204	07/27/2009 MM065848A	VC 23152(A) VC 23152(B) VC 12500(A) PC 1320(A)	All dismissed except VC 23152(B). Pled <i>no contendere</i> . Found guilty. Served 5 days jail, \$1,970. fine and 5 year probation.	None. Not an aggravated felony or CIMT.
C, 209	08/02/2011 MMO72222A	PC 647(f)	Pled <i>nolo contendere</i> , 10 days in custody stayed pending 80 hours community service, \$445 fine	None. Not an aggravated felony or CIMT.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
BIG BEAR DISTRICT
MINUTE ORDER

CASE NO: TBV700079

DATE: 06/21/07

CASE TITLE: PEOPLE OF THE STATE OF CALIFORNIA
vs.
STEFAN JAKUES BEKKER

DEPT: H1A 06/21/07 TIME: 8:00 am ARRAIGNMENT

CHARGES: 1) 20002(A) VC-M

ROBERT E LAW
Clerk TERRI WHITE
Defendant present.

PROCEEDINGS

Advisal of rights signed by Defendant and filed.
Defendant Arraigned.

PLEA INFORMATION

Defendant pleads GUILTY as to Count(s) 1.

DISMISSALS

Count(s) 2 dismissed in the interest of justice.

FINDINGS/ADVISALS:

The Court, after readvisement of each of these rights, finds that the Defendant understands the charge(s), the possible penalties, right against self-incrimination, to confront and cross examine witnesses, to a public and speedy trial, to Jury trial, to have an attorney present at all stages of the proceedings and to the Public Defender if indigent and to the compulsory process of the court to subpoena witnesses. Court finds plea is based on fact.

See findings in file.

Defendant waives formal arraignment for pronouncement of judgment and states there is no legal cause why judgment should not now be pronounced.

SENTENCING INFORMATION

For all charges.

Pronouncement of Judgment is ordered withheld and Conditional and Revocable Release is GRANTED for a period of 36 month(s) on the following Terms and Conditions:

01) Violate no law other than minor traffic.

02) Pay \$110.00 to Victim Restitution Fund to the Court by --- 09/05/2007; includes 10% admin fee.

Surcharge of \$20.00 imposed pursuant to PC1465.8(a).

Pay fine/fee to the Court.

by 09/05/2007.

10/19/11

Page:

Case Number : TBV700079

People vs. STEFAN BEKKER

03) Serve 3 days in a San Bernardino County Jail Facility.
--- With credit for time served of 0 day(s).

Defendant surrenders forthwith into custody to commence jail
commitment for 3 days. Credit 0 days.

00) Pay restitution in an amount to be determined
--- by the DA's Office.

The People are to investigate the issue of
restitution.

Probation Revocation Restitution Fine imposed in the sum of
\$110.00 pursuant to 1202.44 PC; stayed pending successful
completion of Probation.

Defendant accepts probation and is given a copy of the Terms and
Conditions.

HEARINGS

Restitution Hearing set for 09/05/2007 at 8:30 in Department H1.
Defendant ordered to appear on hearing date.

CUSTODY STATUS

Case custody - Probation.

District Attorney notified.

Copy of Minute Order given to defendant.

===== MINUTE ORDER END =====



THE DOCUMENT TO WHICH THIS CERTIFICATION IS
ATTACHED IS A FULL, TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

ATTEST Stephanie M. Kelly
Clerk of the Superior Court of the State of
California, in and for the County of
San Bernardino.

Date OCT 19 2011

By [Signature] Deputy

J2411H1
KERN CJIS
ORGANIZATION: EM

SUPERIOR COURT, EAST DIVISION, MOJAVE BRANCH
IN AND FOR THE COUNTY OF KERN

10/20/11
13:39

CASE NO. MM065848 A

DATE: 08/02/11

TIME: 01:30 PM

DEPT.: A

PEOPLE VS. BEKKER, STEFAN J
BOOKED AS:

JUDGE: BARRY HAMMER, JUDGE
REPORTER: VIQ RECORDING
NATURE OF PROCEEDINGS:
PRE-REVOCATION.

CLERK: YOHANY NAVARRETE
BAILIFF: GREG RUTTER

CHARGES: 2. VC 23152(B) PN

DEPUTY DISTRICT ATTORNEY RON TAYLOR APPEARED.

DEFENDANT APPEARED WITH DEPUTY PUBLIC DEFENDER RUSSELL
MANGAN.

DEFENDANT WAIVES FORMAL HEARING.

PROBATION VIOLATION ADMITTED, AND THE COURT ACCEPTS
ADMISSION OF VIOLATION OF THE TERMS OF PROBATION AS
ENTERED BY DEFENDANT.

PROBATION IS REINSTATED.

ALL PREVIOUSLY ORDERED TERMS AND CONDITIONS OF PROBATION
TO REMAIN IN EFFECT.

ENTERED ON CJIS BY P. RAMIREZ - SCMOJ, ON 08/02/2011.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN, EAST DIVISION
MOJAVE BRANCH

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND
CORRECT COPY OF THE ORIGINAL DOCUMENT ON
FILE IN THE OFFICE OF THE CLERK OF THIS COURT

DATED:

TERRY McNALLY, CLERK

BY:

DEPUTY

MINUTE ORDER

PAGE 1

J2411H1
KERN CJIS

ORGANIZATION: EM

SUPERIOR COURT, EAST DIVISION, MOJAVE BRANCH
IN AND FOR THE COUNTY OF KERN

10/20/11
13:44

CASE NO. MM065848 A

DATE: 07/27/09

TIME: 01:30 PM

DEPT.: A

PEOPLE VS. BEKKER, STEFAN J
BOOKED AS:

JUDGE: CORY J WOODWARD, JUDGE
REPORTER: NONE
NATURE OF PROCEEDINGS:
PRETRIAL.

CLERK: YOHANY NAVARRETE
BAILIFF: GREG RUTTER

CHARGES: 1. VC 23152(A) DISMA
2. VC 23152(B) PN
3. VC 12500(A) DISMA
4. PC 1320(A) DISMA

DEPUTY DISTRICT ATTORNEY RON TAYLOR APPEARED.

DEFENDANT APPEARED WITH DEPUTY PUBLIC DEFENDER CRAIG
ELKIN.

DEFENDANT REQUESTS AND IS GRANTED PERMISSION TO WITHDRAW
PREVIOUS NOT GUILTY PLEA AND PLEADS NOLO CONTENDERE TO
COUNT 2, A VIOLATION OF VC 23152(B), AS A MISDEMEANOR.
DEFENDANT FOUND GUILTY BY COURT.

COUNT 1 DISMISSED ON MOTION OF THE DISTRICT ATTORNEY.
REASON FOR DISMISSAL OR DISCHARGE: FURTHERANCE OF
JUSTICE (PC 1385).

COUNT 3 DISMISSED ON MOTION OF THE DISTRICT ATTORNEY.
REASON FOR DISMISSAL OR DISCHARGE: FURTHERANCE OF
JUSTICE (PC 1385).

COUNT 4 DISMISSED ON MOTION OF THE DISTRICT ATTORNEY.
REASON FOR DISMISSAL OR DISCHARGE: FURTHERANCE OF
JUSTICE (PC 1385).

DEFENDANT ACKNOWLEDGES UNDERSTANDING OF WAIVER OF RIGHTS
, AND BEING SPECIFICALLY QUERIED, VOLUNTARILY AND
INTELLIGENTLY WAIVES: RIGHT TO TRIAL BY COURT OR JURY,
RIGHT TO CONFRONT WITNESSES AGAINST HIM AND TO CROSS-
EXAMINE THEM; RIGHT TO REMAIN SILENT AND RIGHT AGAINST
SELF-INCRIMINATION.

MINUTE ORDER

PAGE 1

COUNSEL JOINS IN PLEA(S)/WAIVER(S).

THE COURT FINDS THAT THE PLEA IS FREE AND VOLUNTARY.

THE COURT FINDS DEFENDANT MAKES A KNOWING AND
INTELLIGENT WAIVER OF HIS RIGHTS.

DEFENDANT'S SIGNED WAIVER OF RIGHTS FILED AND
INCORPORATED HEREIN BY REFERENCE.

DEFENDANT WAIVES STATUTORY TIME AND REQUESTS IMMEDIATE
SENTENCING. DEFENDANT STATES THERE IS NO LEGAL CAUSE
WHY JUDGMENT SHOULD NOT BE PRONOUNCED.

DEFENDANT WAIVES TRIAL BY JURY.

ACKNOWLEDGED UNDERSTANDING OF THE NATURE OF THE CHARGES
AGAINST HIM, AND THE NATURE AND EXTENT OF THE PUNISHMENT
THAT CAN RESULT FROM A PLEA OF GUILTY OR NOLO
CONTENDERE;

////////////////////////////////////

PROBATION GRANTED AS TO COUNT 2. TERMS OF PROBATION
INCORPORATED HEREIN BY REFERENCE. ORIGINAL TERMS AND
CONDITIONS OF PROBATION. IMPOSITION OF SENTENCE
SUSPENDED, AND DEFENDANT PLACED ON PROBATION FOR A
PERIOD OF 5 YEARS; 0 MONTHS; 0 DAYS. TYPE OF PROBATION:
COURT. REFRAIN FROM FURTHER VIOLATIONS OF THE LAW.

DEFENDANT ORDERED TO PAY FINE OF \$1,775.00 AS TO COUNT 2

DEFENDANT TO PAY ASSESSMENT OF \$30.00 PURSUANT TO GC
70373, AS TO COUNT 2.

BOOKING FEE ASSESSED IN THE AMOUNT OF \$100.00.

DEFENDANT TO PAY \$10.00 FOR CITE AND RELEASE FEE.

DEFENDANT TO PAY COURT SECURITY FEE OF \$20.00 PURSUANT
TO PENAL CODE SECTION 1465.8(A)(1) AS TO COUNT 2.

DEFENDANT TO PAY \$35.00 FOR AR FEE.

MINUTE ORDER

PAGE 2

CASE NO. MM065848 A
PEOPLE VS. BEKKER, STEFAN J

DATE: 07/27/09

TIME: 01:30 PM

DEPT.: A

TOTAL AMOUNT OF FINE(S) PLUS FEE(S) \$1,970.00.
DEFENDANT TO PAY TOTAL FINE(S) AND ASSESSMENT(S)
FORTHWITH OR DEFENDANT ORDERED TO REPORT TO REVENUE
RECOVERY DIVISION AND COMPLETE AN APPLICATION FOR
FINANCIAL EVALUATION, DISCLOSE HIS/HER SOCIAL SECURITY
NUMBER, AND EXECUTE AN AGREEMENT TO SATISFY THE COURT
ORDER AND/OR TERMS OF PROBATION. THE FIRST INSTALLMENT
PAYMENT SHALL BE DUE TODAY. IN THE EVENT OF DEFAULT,
BALANCE WILL ACCELERATE AND BECOME DUE AND PAYABLE
FORTHWITH.

DEFENDANT TO SERVE 5 DAYS IN CUSTODY AS TO COUNT 2.

STAY OF EXECUTION OF SENTENCE TO JAIL GRANTED UNTIL
08/03/2009 AT 5:45 P.M..

NO WORK RELEASE PROGRAM ALLOWED.

DURING PROBATIONARY PERIOD, NOT TO OPERATE A MOTOR
VEHICLE UNLESS DULY LICENSED BY THE STATE OF CALIFORNIA
AND INSURED.

DEFENDANT TO SUBMIT TO A BLOOD, BREATH OR URINE TEST AT
THE REQUEST OF ANY PEACE OFFICER OR PROBATION OFFICER TO
DETERMINE BLOOD ALCOHOL CONTENT.

NOT TO DRINK AND DRIVE DURING PROBATION PERIOD, WITH ANY
MEASURABLE AMOUNT OF ALCOHOL OR DRUGS IN YOUR BLOOD.

DEFENDANT TO PARTICIPATE IN A LICENSED ALCOHOL EDUCATION
PROGRAM FOR 9 MONTHS OR LONGER.

DEFENDANT TO ATTEND FIRST OFFENDER DUI PROGRAM SCHOOL,
ENROLL WITHIN ONE WEEK, AND SUBMIT PROOF OF COMPLETION
BY 06/28/2010.

ENTERED ON CJIS BY T. ELLIS-FAST - SCMOJ, ON 07/27/2009.

DD1 ABSTRACT SENT TO THE DEPARTMENT OF MOTOR VEHICLES
ELECTRONICALLY.

ALL SENTENCE ELEMENTS FOR THIS PROCEEDING ENTERED.

MINUTE ORDER

PAGE 3

CASE NO. MM065848 A

DATE: 07/27/09

TIME: 01:30 PM

DEPT.: A

PEOPLE VS. BEKKER, STEFAN J

CLERK OF THE COURT'S CERTIFICATION. I CERTIFY THAT THE
FOREGOING IS A CORRECT ABSTRACT OF THE DISPOSITION OF
ARREST AND COURT ACTION IN THIS CASE. SIGNED: T FAST.

MINUTE ORDER

PAGE 4

J2411H1
KERN CJIS

ORGANIZATION: EM

SUPERIOR COURT, EAST DIVISION, MOJAVE BRANCH
IN AND FOR THE COUNTY OF KERN

10/20/11
13:39

CASE NO. MM072222 A DATE: 08/02/11 TIME: 01:30 PM DEPT.: A

PEOPLE VS. BEKKER, STEFAN JAQUEAS
BOOKED AS:

JUDGE: BARRY HAMMER, JUDGE
REPORTER: VIQ RECORDING
NATURE OF PROCEEDINGS:
PRETRIAL.

CLERK: YOHANY NAVARRETE
BAILIFF: GREG RUTTER

CHARGES: 1. PC 647(F) PN

DEPUTY DISTRICT ATTORNEY RON TAYLOR APPEARED.

DEFENDANT APPEARED WITH DEPUTY PUBLIC DEFENDER RUSSELL
MANGAN.

DEFENDANT REQUESTS AND IS GRANTED PERMISSION TO WITHDRAW
PREVIOUS NOT GUILTY PLEA AND PLEADS NOLO CONTENDERE TO
COUNT 1, A VIOLATION OF PC 647(F), AS A MISDEMEANOR.
DEFENDANT FOUND GUILTY BY COURT.

DEFENDANT ACKNOWLEDGES UNDERSTANDING OF WAIVER OF RIGHTS
, AND BEING SPECIFICALLY QUERIED, VOLUNTARILY AND
INTELLIGENTLY WAIVES: RIGHT TO TRIAL BY COURT OR JURY,
RIGHT TO CONFRONT WITNESSES AGAINST HIM AND TO CROSS-
EXAMINE THEM; RIGHT TO REMAIN SILENT AND RIGHT AGAINST
SELF-INCRIMINATION.

COUNSEL JOINS IN PLEA(S)/WAIVER(S).

THE COURT FINDS THAT THE PLEA IS FREE AND VOLUNTARY.

THE COURT FINDS DEFENDANT MAKES A KNOWING AND
INTELLIGENT WAIVER OF HIS RIGHTS.

DEFENDANT'S SIGNED WAIVER OF RIGHTS FILED AND
INCORPORATED HEREIN BY REFERENCE.

DEFENDANT WAIVES STATUTORY TIME AND REQUESTS IMMEDIATE
SENTENCING. DEFENDANT STATES THERE IS NO LEGAL CAUSE
WHY JUDGMENT SHOULD NOT BE PRONOUNCED.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN, EAST DIVISION
MOJAVE BRANCH
THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND
CORRECT COPY OF THE ORIGINAL DOCUMENT ON
FILE IN THE OFFICE OF THE CLERK OF THIS COURT.
DATED: _____ PAGE 1
TERRY MONALLY, CLERK
DEPUTY

DEFENDANT WAIVES TRIAL BY JURY.

ACKNOWLEDGED UNDERSTANDING OF THE NATURE OF THE CHARGES
AGAINST HIM, AND THE NATURE AND EXTENT OF THE PUNISHMENT
THAT CAN RESULT FROM A PLEA OF GUILTY OR NOLO
CONTENDERE;

////////////////////////////////////

PROBATION GRANTED AS TO COUNT 1. TERMS OF PROBATION
INCORPORATED HEREIN BY REFERENCE. ORIGINAL TERMS AND
CONDITIONS OF PROBATION. IMPOSITION OF SENTENCE
SUSPENDED, AND DEFENDANT PLACED ON PROBATION FOR A
PERIOD OF 3 YEARS; 0 MONTHS; 0 DAYS. TYPE OF PROBATION:
COURT. REFRAIN FROM FURTHER VIOLATIONS OF THE LAW.

DEFENDANT ORDERED TO PAY FINE OF \$230.00 AS TO COUNT 1.

DEFENDANT TO PAY RESTITUTION FINE OF \$100.00 PURSUANT TO
PENAL CODE SECTION 1202.4(B).

DEFENDANT TO PAY ASSESSMENT OF \$30.00 PURSUANT TO GC
70373, AS TO COUNT 1.

DEFENDANT TO PAY COURT SECURITY FEE OF \$40.00 PURSUANT
TO PENAL CODE SECTION 1465.8(A)(1) AS TO COUNT 1.

DEFENDANT TO PAY \$45.00 FOR A/R FEE.

TOTAL AMOUNT OF FINE(S) PLUS FEE(S) \$445.00. DEFENDANT
TO PAY TOTAL FINE(S) AND ASSESSMENT(S) FORTHWITH OR
DEFENDANT ORDERED TO REPORT TO REVENUE RECOVERY DIVISION
AND COMPLETE AN APPLICATION FOR FINANCIAL EVALUATION,
DISCLOSE HIS/HER SOCIAL SECURITY NUMBER, AND EXECUTE AN
AGREEMENT TO SATISFY THE COURT ORDER AND/OR TERMS OF
PROBATION. THE FIRST INSTALLMENT PAYMENT SHALL BE DUE
TODAY. IN THE EVENT OF DEFAULT, BALANCE WILL ACCELERATE
AND BECOME DUE AND PAYABLE FORTHWITH.

DEFENDANT ORDERED TO COMPLETE 80 HOURS OF COMMUNITY
SERVICE BY 11/18/2011 AS DIRECTED BY THE COMMUNITY
SERVICE REPRESENTATIVE. CONTINUED TO 11/18/2011 AT 9:00
A.M. IN SUPERIOR COURT, EAST DIVISION, MOJAVE BRANCH
COURT, D- B FOR RETURN - PROOF COMPL/ENROLL (COMM SVC).

CASE NO. MM072222 A DATE: 08/02/11 TIME: 01:30 PM DEPT.: A
PEOPLE VS. BEKKER, STEFAN JAQUEAS

DEFENDANT ORDERED TO RETURN 8/5/11 TO SET UP COMMUNITY
SERVICE.

DEFENDANT TO SERVE 10 DAYS IN CUSTODY AS TO COUNT 1.

10 DAYS IN CUSTODY STAYED PENDING COMPLETION OF 80 HOURS
OF COMMUNITY SERVICE.

HEARING SET ON 11/18/2011 AT 9:00 A.M. IN SUPERIOR
COURT, EAST DIVISION, MOJAVE BRANCH, D- B FOR REPORT FOR
COMMITMENT.

-OR- PROVIDE PROOF OF COMPLETION OF 80 HOURS OF
COMMUNITY SERVICE.

DEFENDANT TO ATTEND 2 PER WEEK, AA MEETINGS BY 11/18/11.
DEFENDANT TO SUBMIT PROOF OF MEETINGS BY 11/18/2011 AT
9:00 A.M. IN SUPERIOR COURT, EAST DIVISION, MOJAVE
BRANCH, D- B FOR PROOF OF COMPLIANCE.

DEFENDANT ORDERED TO ATTEND 2 AA MEETINGS PER WEEK FOR A
TOTAL OF 6 MONTHS.

NOT TO INDULGE IN THE USE OF INTOXICANTS OR VISIT ANY
PLACES WHERE INTOXICANTS ARE SOLD AS A PRIMARY INCOME OR
BUSINESS DURING YOUR PROBATIONARY PERIOD.

DEFENDANT IS NOT TO POSSESS OR CONSUME ANY ALCOHOL.

ENTERED ON CJIS BY P. RAMIREZ - SCMOJ, ON 08/02/2011.

ALL SENTENCE ELEMENTS FOR THIS PROCEEDING ENTERED.

Exhibit “C”

I-485 Decision

U.S. Department of Homeland Security
1177 Fulton Mall
Fresno, CA 93720



U.S. Citizenship
and Immigration
Services

Stefan Jaques Bekker
21831 Brook Drive
Tehachapi, California 93561

MAY - 4 2010
A200 321 236
MSC09 288 18954

NOTICE OF DECISION

Your Application to Register Permanent Residence or Adjust Status (Form I-485), pursuant to section 245 of the Immigration and Nationality Act (INA), is denied for the reasons stated in the attached decision.

The decision resulting in the denial of Form I-485 leaves you without lawful immigration status and you are now present in the United States in violation of the law. Also, as of the date of this notice, any employment authorization granted based on the pendency of your application is hereby cancelled.


Don L. Riding
Field Office Director

iso/fre/jjs

**United States Department of Homeland Security
Citizenship and Immigration Service
1177 Fulton Mall
Fresno, California 93721-1913**

Kevin Earl Jelsvik
P. O. Box 1706
Tehachapi, California 93581

MAY - 4 2010
A200 321 236
MSC09 288 18958

NOTICE OF DENIAL

On July 15, 2009, you filed Form I-130, Petitions for an Alien Relative, on behalf of Stefan Jaques Bekker, seeking to accord classification as an immediate relative of a United States citizen under section 201(b) of the Immigration and Nationality Act, as amended ("the Act").

APPLICABLE LAW

Section 201(b) of the Immigration and Nationality Act states impertinent part:

Immediate relatives, - For purpose of this subsection the term "immediate relatives" means the children, spouses, and parents of a citizen of the United States,

In considering this petition, the Service is guided by Title 8, Code of Federal Regulations ("8 CFR"), Section 204.2(d) (1), included in pertinent part as:

(1) Eligibility. A United States citizen may file a petition on behalf of an unmarried child under twenty-one years of age for immediate relative classification under section 201(b) of the Act.

Furthermore, section 204.2(d) (2) states in pertinent part:

(iv) Primary evidence for a stepchild. If a petition is submitted by a stepparent on behalf of a stepchild or stepson or stepdaughter, the petition must be supported by the stepchild's or stepson's or stepdaughter's birth certificate, issued by civil authorities and showing the name of the beneficiary's parent to whom the petitioner is married, a marriage certificate issued by civil authorities which shows that the petitioner and the child's natural parent were married before the stepchild or stepson or stepdaughter reached the age of eighteen; and evidence of the termination of any prior marriages of the petitioner and the natural parent of the stepchild or stepson or stepdaughter.

JELSVIK, KEVIN EARL**A200 321 236**

Furthermore, 8 CFR section 103.2(b) (8) states in pertinent part that

- (8) Request for evidence. ... Except as otherwise provided in this chapter, in other instances where there is no evidence of ineligibility, and initial evidence or eligibility information is missing or the Service finds that the evidence submitted either does not fully establish eligibility for the requested benefit or raises underlying questions regarding eligibility, the Service shall request the missing initial evidence, and may request additional evidence, including blood tests. In such cases, the applicant or petitioner shall be given 12 weeks to respond to a request for evidence. Additional time may not be granted. Within this period the applicant or petitioner may:
- (i) Submit all the requested initial or additional evidence;
 - (ii) Submit some or none of the requested additional evidence and ask for a decision based on the record; or
 - (iii) Withdraw the application or petition.

FACTS AND ANALYSIS

On July 15, 2009, you filed Form I-130, Petition for Alien Relative; however, you failed to submit documentation to substantiate a relationship between you and the beneficiary in order to classify him as an immediate relative.

On February 3, 2010, upon completion of the interview Form I-72 was issued and you were instructed to submit the original certified marriage certificate between Kevin Earl Jelsvik and Christa Catharina Bekker.

On March 11, 2010, a Notice of Intent to Deny was mailed to you and in the Notice you were requested to submit further evidence in support of your petition.

On April 13, 2010, your step-son submitted a statement regarding the relationship between you and him.

Pursuant to 8 CFR 103.2(b) (8), you were given thirty (30) days to submit the requested evidence. You have failed to submit the requested documents.

Pursuant to Title 8, Code of Federal Regulation, Part 103.2(b) (13), the application shall be considered abandoned and is denied.

Sincerely,



Don L. Riding
Field Office Director
iso/fre/jjs

Exhibit “D”

Marriage Certificate

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

LICENSE AND CERTIFICATE OF MARRIAGE

MUST BE LEGIBLE - MAKE NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS
USE DARK INK ONLY

4 20115000296

STATE FILE NUMBER		LOCAL REGISTRATION NUMBER	
1A. FIRST NAME AMANDA		1B. MIDDLE MARIE	
1C. CURRENT LAST LOVENGUTH		1D. LAST NAME AT BIRTH (IF DIFFERENT THAN 1C) -	
2. DATE OF BIRTH (MM/DD/YYYY) 10/05/1984	3. STATE/COUNTRY OF BIRTH CA	4. # PREV. MARRIAGES/SRDP 0	5A. LAST MARRIAGE/SRDP ENDED BY <input type="checkbox"/> DEATH <input type="checkbox"/> DISSO <input type="checkbox"/> ANNULMENT <input type="checkbox"/> TERM SRDP <input type="checkbox"/> N/A
6. ADDRESS 22751 LAKE DRIVE	7. CITY TEHACHAPI	8. STATE/COUNTRY CA	9. ZIP CODE 93581
10A. FULL BIRTH NAME OF FATHER/PARENT DESMOND LINTON LOVENGUTH		10B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) CA	
11A. FULL BIRTH NAME OF MOTHER/PARENT SHERRY B. CATTUZZO		11B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) CA	
12A. FIRST NAME STEFAN		12B. MIDDLE JAQUES	
12C. CURRENT LAST BEKKER		12D. LAST NAME AT BIRTH (IF DIFFERENT THAN 12C) -	
13. DATE OF BIRTH (MM/DD/YYYY) 10/07/1988	14. STATE/COUNTRY OF BIRTH SOUTH AFRICA	15. # PREV. MARRIAGES/SRDP 0	16A. LAST MARRIAGE/SRDP ENDED BY <input type="checkbox"/> DEATH <input type="checkbox"/> DISSO <input type="checkbox"/> ANNULMENT <input type="checkbox"/> TERM SRDP <input type="checkbox"/> N/A
17. ADDRESS 21831 BROOK DRIVE	18. CITY TEHACHAPI	19. STATE/COUNTRY CA	20. ZIP CODE 93561
21A. FULL BIRTH NAME OF FATHER/PARENT CHRISTIAAN BEKKER		21B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) SOUTH AFRICA	
22A. FULL BIRTH NAME OF MOTHER/PARENT CHRISTA KATHARINA LABAGHNE		22B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) SOUTH AFRICA	
19E. THE UNDERSIGNED DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT WE ARE UNMARRIED AND THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE FURTHER DECLARE THAT NO LEGAL OBJECTION TO THE MARRIAGE NOR TO THE ISSUANCE OF A LICENSE IS KNOWN TO US. WE ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUIRED BY FAMILY CODE SECTION 356 AND HEREBY APPLY FOR A LICENSE AND CERTIFICATE OF MARRIAGE.			
23. SIGNATURE OF PERSON LISTED IN FIELD 1A-1D <i>Amanda Lovenguth</i>		24. SIGNATURE OF PERSON LISTED IN FIELD 12A-12D <i>Stefan Bekker</i>	
1. THE UNDERSIGNED DO HEREBY CERTIFY THAT THE ABOVE-NAMED PARTIES TO BE MARRIED HAVE PERSONALLY APPEARED BEFORE ME, OR THE PERSON PERFORMING THE CEREMONY HAS PERSONALLY APPEARED BEFORE ME AND PRESENTED AN AFFIDAVIT SIGNED BY THE PARTIES TO BE MARRIED DECLARING THAT ONE OR BOTH OF THE PARTIES ARE PHYSICALLY UNABLE TO APPEAR AND EXPLAINING THE REASONS THEREFOR IN ACCORDANCE WITH FAMILY CODE SECTION 426. THE PARTIES PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS CLAIMED, HAVE DECLARED THAT THEY MEET ALL OF THE REQUIREMENTS OF THE LAWS OF THE STATE OF CALIFORNIA TO SOLEMNIZE THE MARRIAGE OF THE ABOVE-NAMED PERSONS GIVEN TO ANY PERSON DULY AUTHORIZED TO PERFORM A MARRIAGE CEREMONY WITHIN THE STATE OF CALIFORNIA TO SOLEMNIZE THE MARRIAGE OF THE ABOVE-NAMED PERSONS REQUIRED CONSENTS AND AFFIDAVITS FOR THE ISSUANCE OF THIS LICENSE ARE ON FILE.			
25A. ISSUE DATE (MM/DD/YYYY) 12/20/2010		25B. EXPIRES AFTER (MM/DD/YYYY) 03/20/2011	
25C. NAME OF COUNTY CLERK ANN K. BARNETT		25D. SIGNATURE OF CLERK OR DEPUTY CLERK <i>Ann K. Barnett</i>	
25E. MARRIAGE LICENSE NUMBER B-4201015003786		25F. COUNTY OF ISSUE KERN	
25G. RETURN COMPLETED MARRIAGE LICENSE TO (INCLUDE ADDRESS) 1655 CHESTER AVE., BAKERSFIELD, CA, 93301			
26A. SIGNATURE OF WITNESS <i>Michael A. Russell</i>		26B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY) MICHAEL A. RUSSELL	
26C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE 21831 BROOK DR. TEHACHAPI, CA, 93561			
27A. SIGNATURE OF WITNESS <i>Cameron Russell</i>		27B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY) Cameron Russell	
27C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE 21831 Brook Dr. Tehachapi, CA 93561			
1. THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE ABOVE-NAMED PARTIES WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA. NOTE: THE MARRIAGE CEREMONY MUST TAKE PLACE IN THE STATE OF CALIFORNIA.			
28A. DATE OF MARRIAGE (MM/DD/YYYY) 12/31/2010		28B. CITY/TOWN OF MARRIAGE Tehachapi	
28C. COUNTY OF MARRIAGE Kern		28D. RELIGIOUS DENOMINATION (IF CLERGY) Christian	
28E. SIGNATURE OF PERSON SOLEMNIZING MARRIAGE <i>Annette Grother</i>		28F. OFFICIAL TITLE Minister	
28G. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE 20400 Oak Knoll Rd, Palmdale, CA Kern 93561			
NEW MARRIAGE AND LAST NAME OF PERSON LISTED IN 1A-1D (IF ANY) FOR USE UPON SOLEMNIZATION OF THE MARRIAGE (SEE REVERSE FOR INFORMATION)			
30A. FIRST - MUST BE SAME AS 1A AMANDA		30B. MIDDLE MARIE LOVENGUTH	
30C. LAST BEKKER			
NEW MARRIAGE AND LAST NAME OF PERSON LISTED IN 12A-12D (IF ANY) FOR USE UPON SOLEMNIZATION OF THE MARRIAGE (SEE REVERSE FOR INFORMATION)			
31A. FIRST - MUST BE SAME AS 12A -		31B. MIDDLE -	
31C. LAST -			
32A. NAME OF LOCAL REGISTRAR JAMES W. FITCH		32B. SIGNATURE OF CLERK OR DEPUTY CLERK <i>A. Alderete</i>	
32C. DATE ACCEPTED FOR REGISTRATION 02/14/2011			

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, OFFICE OF VITAL RECORDS

VS-117 (01/01/2010)

CERTIFIED COPY OF VITAL RECORDS



000672732

STATE OF CALIFORNIA
COUNTY OF KERN

DATE ISSUED

FEB 15 2011

This is a true and exact reproduction of the document officially registered and placed on file with the KERN COUNTY RECORDER.

33

This copy is not valid unless prepared on engraved border displaying seal and signature of County Recorder.

James W. Fitch
James W. Fitch
ASSESSOR RECORDER

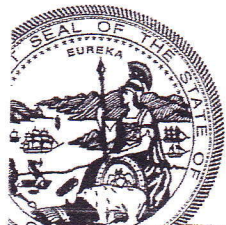


Exhibit “E”

Proof of Submission of Filing Fee to
Texas Service Center

THE UNITED STATES OF AMERICA

RECEIPT NUMBER SRC-12-021-51734		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE November 1, 2011	PRIORITY DATE	APPLICANT A200 321 236 BEKKER, STEFAN J.
NOTICE DATE November 1, 2011	PAGE 1 of 2	
GRACE R ALANO 598 BOSWORTH ST STE 3 SAN FRANCISCO CA 94131		Notice Type: Receipt Notice Amount received: \$1,070.00 U.S.

This courtesy notice is to advise you of action taken on this case. The official notice has been mailed to the applicant/petitioner indicated above. Any relevant documentation included in the notice was also mailed as part of the official notice.

Receipt Notice- This notice confirms that USCIS received your application or petition ("this case") as shown above. If any of the above information is incorrect, please immediately call 800-375-5283 to let us know. This will help avoid future problems.

This notice does not grant any immigration status or benefit. It is not even evidence that this case is still pending. It only shows that the application or petition was filed on the date shown.

Processing time - Processing times vary by kind of case. You can check our website at www.uscis.gov for our current "processing times" for this kind of case at the particular office to which this case is or becomes assigned. On our website's "case status online" page, you can also view status or sign up to receive free e-mail updates as we complete key processing steps on this case. During most of the time this case is pending, however, our systems will show only that the case has been received, and the processing status will not have changed, because we will be working on other cases that were filed earlier than this one. We will notify you by mail, and show in our systems, when we make a decision on this case or if we need something from you. If you do not receive an initial decision or update from us within our current processing time, check our website or call 800-375-5283. Please save this notice, and any other notice we send you about this case, and please make and keep a copy of any papers you send us by any means, along with any proof of delivery to us. Please have all these papers with you if you contact us about this case.

If this case is an I-130 Petition - Filing and approval of a Form I-130, Petition for Alien Relative, is only the first step in helping a relative immigrate to the United States. The beneficiaries of a petition must wait until a visa number is available before they can take the next step to apply for an immigrant visa or adjustment of status to lawful permanent residence. To best allocate resources, USCIS may wait to process forms I-130 until closer to the time when a visa number will become available, which may be years after the petition was filed. Nevertheless, USCIS processes forms I-130 in time not to delay relatives' ability to take the next step toward permanent residence once a visa number does become available. If, before final action on the petition, you decide to withdraw your petition, your family relationship with the beneficiary ends, or you become a U.S. citizen, call 800-375-5283.

Applications requiring biometrics- In some types of cases USCIS requires biometrics. In such cases, USCIS will send you a SEPARATE appointment notice with a specific date, time and place for you to go to a USCIS Application Support Center (ASC) for biometrics processing. You must WAIT for that separate appointment notice and take it (NOT this receipt notice) to your ASC appointment along with your photo identification. Acceptable kind of photo identification are: a passport or national photo identification issued by your country, a drivers license, a military photo identification, or a state-issued photo identification card. If you receive more than one ASC appointment notice, even for different cases, take them both to the first appointment.

If your address changes- If your mailing address changes while your case is pending, call 800-375-5283 or use the "Online Change of Address" function on our website. Otherwise, you might not receive notice of our action on this case.

NOTICE: Pursuant to the terms of the United States Immigration & Nationality Act (INA), the information provided on and in support of applications and petitions is submitted under penalty of perjury. The Department of Homeland Security reserves

Please see the additional information on the back. You will be notified separately about any other cases you filed.
IMMIGRATION & NATURALIZATION SERVICE

TEXAS SERVICE CENTER

P O BOX 851488 - DEPT A

MESQUITE TX 75185-1488

Customer Service Telephone: (800) 375-5283



THE UNITED STATES OF AMERICA

RECEIPT NUMBER SRC-12-021-51734		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE November 1, 2011	PRIORITY DATE	APPLICANT A200 321 236 BEKKER, STEFAN J.
NOTICE DATE November 1, 2011	PAGE 2 of 2	

(continued)

the right to verify this information before and/or after adjudication to ensure conformity with applicable laws, rules, regulations, and other authorities. Methods used for verifying information may include, but are not limited to, the review of public information and records, contact by correspondence, the internet, or telephone, and site inspections of businesses and residences. Information obtained during the course of verification will be used to determine eligibility for the benefit sought. Applicants, petitioners, and representatives of record will be provided an opportunity to address derogatory information before any formal decision is made and/or proceeding is initiated.

IMMIGRATION & NATURALIZATION SERVICE
TEXAS SERVICE CENTER
P O BOX 851488 - DEPT A
MESQUITE TX 75185-1488
Customer Service Telephone: (800) 375-5283

