

BRILLIANT IMMIGRANT'S CASE BUMPED TO TOP OF LIST

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Body

AN ILLEGAL IMMIGRANT who became a **brilliant** Ivy Leaguer after growing up in New York homeless shelters has had his **case** pushed to the **top** of the immigration authority.

But Dan-Ei Padilla Peralta's outstanding academic achievements will play no part in decisions on his future status, his lawyer Stephen Yale-Loehr said yesterday.

Padilla, 21, who came to the U.S. from the Dominican Republic 17 years ago, graduated second in his class at Princeton this week and won a scholarship to England's prestigious Oxford University.

But the classics scholar declared his secret status after discovering he could be barred from returning to the U.S. if he took his Oxford place.

"Because of the publicity this **case** has generated, [his application] has been **bumped** to the Citizenship and Immigration Services' headquarters in Washington," Yale-Loehr said.

"But his intellectual achievements will not be a part of the consideration. The fact that he's smart or dumb, or black or white, cannot be considered as a matter of law."

Instead, Padilla has to prove that extraordinary factors stopped him from applying for legal status when his tourist visa expired 17 years ago.

Padilla was brought to New York by his parents after his pregnant mother traveled for medical attention. Complications meant they overstayed their tourist visa.

"He was 4 years old, they were living in homeless shelters, his father abandoned them and they lost their immigration paperwork in a flood," said his lawyer.

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Graphic

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BLOOMBERG NEWS Dan-EI Padilla Peralta

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