

# HAITIAN PAUSED TO GIVE AID AND LOST ON A POINT OF LAW

The New York Times

June 28, 1983, Tuesday, Late City Final Edition

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**Section:** Section A; Page 18, Column 1; National Desk

**Length:** 318 words

**Byline:** AP

**Dateline:** MIAMI, June 27

## **Body**

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A young Haitian refugee who stayed on a United States beach to help fellow victims of a shipwreck instead of fleeing may now be deported for doing what he thought was right, his lawyer says.

The problem arises because, under United States immigration law, aliens arrested after entering the country have more rights than those stopped at the border.

The refugee in this case, Marcelin Pierre, 23 years old, was a passenger aboard the vessel La Nativite, which sank in heavy seas off Hillsboro Beach in October 1981. Its passengers were thrown into the surf and 33 died.

MIAMI, June 27 (AP) - A young Haitian refugee who stayed on a United States beach to help fellow victims of a shipwreck instead of fleeing may now be deported for doing what he thought was right, his lawyer says.

Mr. Pierre cannot swim but made it safely to shore, where he and some of the other survivors began dragging back bodies so they would not be carried away by the tide, and tended to fellow survivors.

"Instead of running away, he submitted himself to the cause of humanity," Mr. Pierre's lawyer, Burton Young, said last week. "I don't think he should be punished for doing what is right."

After two hours of argument, Judge Jose Simonett, of immigration court disagreed with Mr. Young. Because Mr. Pierre did not intend to evade immigration officials, Judge Simonett said, he never achieved entry.

The ruling is in accord with earlier decisions on Haitians who have arrived near or on Florida shores by boat. "A landing is not synonymous with an entry," Judge Simonett said.

The judge, however, did agree to put off further proceedings to expel Mr. Pierre until Mr. Young could appeal. After being taken into custody by immigration agents, Mr. Pierre was confined along with 1,000 other Haitians at the Krome Avenue refugee camp. The Haitians were ordered released by a Federal judge last year, and Mr. Pierre found work at a furniture store in Opa-locka.

"I want to stay in Miami," he said.

## **Classification**

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**Language:** ENGLISH

**Subject:** IMMIGRATION (91%); MARINE TRANSPORTATION ACCIDENTS (90%); IMMIGRATION LAW (90%);

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REFUGEES (90%); LAWYERS (90%); JUDGES (89%); DEPORTATION (78%); ARRESTS (78%); REFUGEE & RELIEF CAMPS (73%)

**Industry:** MARINE TRANSPORTATION ACCIDENTS (90%); LAWYERS (90%)

**Geographic:** MIAMI, FL, USA (92%); FLORIDA, USA (79%)

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