

Supreme Court rules for Queens businessman in immigration case

Panagis Vartelas' white-collar conviction won't prevent him from traveling

By [Erica Pearson](#) / NEW YORK DAILY NEWS

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A Queens auto-body shop owner won his case before the U.S. Supreme Court, which ruled that immigrants who committed minor crimes before 1996 can travel abroad and still keep their green cards.

The justices decided 6-3 Wednesday that Greek immigrant Panagis Vartelas, who has been fighting deportation for eight years, can stay.

He should also be able to take brief trips out of the country without fearing he won't get back in.

"Thank God. Thank God. The system works," said Vartelas. "It was like a very big lift for me today."

Vartelas, 50, was returning from a week helping his parents in his homeland when he was stopped at Kennedy Airport in 2003 and ordered deported because of a white-collar conviction from 1994.

Vartelas had spent four months in prison after admitting he helped his business partner make fake travelers checks.

At the time, the charge wasn't cause for deportation. But two years later, a change in the law meant green card holders convicted of crimes involving "moral turpitude" were in greater jeopardy of being deported.

The law is also tougher on immigrants who have left the U.S. and are trying to re-enter the country than on those who stay put.

In a decision written by [Justice Ruth Bader Ginsburg](#), the court said Vartelas' case should be determined by the "legal regime in force at the time of his conviction," not the later law that forbid him from traveling.

[Justices Antonin Scalia](#), [Clarence Thomas](#) and [Samuel Alito](#) dissented, saying because Vartelas took the trip to Greece in 2003, the law at that time is what should count.

“The court recognizes that when a business faces a new law, it shouldn’t have to worry that that law is retroactive... Immigrants get the same protections,” said Vartelas’ lawyer, Stephanos Bibas.

“We had a good feeling going in and coming out of it. We were also pleasantly surprised that it wasn’t a narrow, partisan decision.”

While local advocates celebrated the decision, [Nancy Morawetz](#), co-director of the NYU Immigrant Rights Clinic, cautioned green card holders not to rush to make travel plans.

Past convictions should be evaluated individually and immigrants should consult with a lawyer, she advised.

Vartelas said he plans to visit his elderly parents in Greece as soon as he can.

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