

July 4, 2016

United States Citizenship and Immigration Services
Vermont Service Center
Attn: CRU
75 Lower Welden Street
St. Albans, VT 05479-0001

Re: Adjustment of Status under INA 245(m)

Applicant: [REDACTED]

Dear Officer:

We hereby submit Form I-485, Application to Register Permanent Resident or Adjust Status Application for [REDACTED], (hereinafter “the Applicant”).

FORMS:

<u>Forms</u>	<u>Description</u>
G-28	Notice of Appearance of Attorney for Applicant;
G-325A	Biographic Information of the Applicant;
I-485	Application to Register Permanent Resident or Adjust Status; and
I-765	Application for Employment Authorization.

TABLE OF EXHIBIT:

<u>Exhibit</u>	<u>Description</u>
“1”	Declaration of the Applicant;
“2”	Copy of Birth Certificate and Passport with I-94 of the Applicant;
“3”	Approval Notice for I-918 Petition for U Nonimmigrant Status;

- “4” Approval Notice for I-192 Application for Advance Permission to Enter as Nonimmigrant;
- “5” Copy of Income Tax Returns of the Applicant;
- “6” Copy of the Recognition of Applicant’s assistance by Consulate General of Mexico in Chicago; and
- “7” Character Reference Letters from employer, family and friends.

I.

STATEMENT OF FACTS

Applicant was born on February 9, 1968 in the town of Zapatitlan, Mexico D.F., Mexico. See, **Exhibit 2**. Applicant entered the United States, without inspection, in September of 1999, and has been in the United States ever since. Applicant therefore, got I-192 Application for Advance Permission to Enter as Nonimmigrant on March 8, 2013. See, **Exhibit 4**. Applicant is a responsible person who pays tax and possesses a good moral character. See, **Exhibits 5, 6 and 7**. Applicant is now living in the United States under temporary status. Applicant is a U1 visa holder since 2013 under Immigration and Nationality Act (hereinafter “INA”) 245(m)¹. See, **Exhibits 1 and 3**.

II.

APPLICANT WAS LAWFULLY ADMITTED IN U STATUS

INA 214.1(a)(2)- Requirements for admission, extension, and maintenance of status- For the purpose of the chapter, U1 nonimmigrant designation classification is established under INA section 101(a)(15)(U)(i).

Applicant was a victim of criminal activity as stated under *INA section 101(a)(15)(U)(i)(I)*. Thereby, Applicant was lawfully admitted in U status under *INA section 101(a)(15)(U)* on March 9, 2013. See, **Exhibit 3**.

¹ INA 245(m) deals with Adjustment of status for victims of crimes against women. Further, INA 245(M)(1) states, “The Secretary of Homeland Security may adjust the status of an alien admitted into the United States (or otherwise provided nonimmigrant status) to that of an alien lawfully admitted for permanent residence.”

III.

ALIEN CONTINUES TO HOLD U STATUS AT THE TIME OF FILING ADJUSTMENT OF STATUS

Applicant is a U-Nonimmigrant visa holder (U1-principal) as defined under *INA section 101(a)(15)(u)*. Applicant's U-Nonimmigrant visa is valid from March 8, 2013 to March 7, 2017. See, **Exhibit 3**.

IV.

APPLICANT IS NOT INADMISSIBLE TO APPLY FOR ADJUSTMENT OF STATUS

- i. *Participant in Nazi persecution, genocide, or the commission of any act of torture or extrajudicial killing- INA 212(a)(3)(E)*

Applicant is not a participant in any Nazi persecution, genocide or the commission of any act of torture or extrajudicial killing as mentioned under *INA 212(a)(3)(E)* and its subsection. Applicant is a person of good moral character and is not convicted of any major crime to be inadmissible under immigration law. See, **Exhibit 1 and 7**.

- ii. *Departed the United States for any single period in excess of 90 days or 180 days in the aggregate- 8CFR Section 245.24(a)(1)*

Applicant has not departed the United States for any single period in excess of 90 days or 180 days in aggregate. See, **Exhibit 1**.

- iii. *U status is revoked- 8CFR Section 245.24(c)*

Applicant's U status has not been revoked at any time since the receipt of the status till date. Thereby proving that Applicant is not inadmissible under any of the above mentioned inadmissibility grounds. See, **Exhibit 1**.

V.

CONCLUSION

Based on the foregoing, we respectfully request that the enclosed application be approved and that Applicant's status be adjusted to that of a lawful permanent resident.

Thank you for your consideration in this matter. Should you have any further questions, please feel free to contact our office at [REDACTED]

Kind Regards.

Respectfully submitted,

Attorney at Law

[REDACTED]

[REDACTED]