



**U.S. Citizenship  
and Immigration  
Services**

April 9, 2013

\_\_\_\_\_  
Riverside, CA 92503

RE: \_\_\_\_\_ Application to Register Permanent Resident or Adjust Status (Form I-485)

**ORDER**

Upon consideration by the District Director, and in accordance with Title 8, Code of Federal Regulations (8 C.F.R.), § 103.5(a)(5)(iv)(3) (2011), the previous decision dated, September 27, 2012, is reconsidered for review.

**DISCUSSION**

This is in response to a request you filed to reconsider the decision of September 27, 2012. On February 22, 2012, the applicant filed Form I-485, Application to Register Permanent Resident or Adjust Status. On June 12, 2012, the applicant appeared for an interview; at the time of the interview or some time later the applicant was given a request to provide documents to establish eligibility for the benefit being sought. The applicant was denied adjustment of status because the applicant failed to submit the requested evidence; proof of eligibility to adjust status under section 245(i). Through counsel, the applicant argues that the requested documents were submitted in a timely manner and received by the Service within the allotted time frame. The documents were reviewed for eligibility and sent to the Department of Labor for clarification of whether or not the applicant qualified for the labor certificate at time of filing. The representative verified the filing and names; however, a definitive answer of qualified at time of filing could not be verified. The application will be reopened and reconsidered because the applicant has provided the requested documents with the request to reopen/reconsider.

**CONCLUSION**

This has prompted U.S. Citizenship and Immigration Services ("USCIS") to reconsider the decision on your Form I-485.