

U.S. Department of Homeland Security
Citizenship and Immigration Services



995 Hardt Street
San Bernardino, CA 92408

MOTION TO REOPEN/RECONSIDER

Alta Loma, CA 91737

Date: May 21, 2019

File: A _____

ORDER: Upon consideration by the District Director, and in accordance with Title 8, Code of Federal Regulations, Part 103.5(a) the previous decision dated February 6, 2019 is reopened or reconsidered for review.

DISCUSSION: On August 7, 2018 the applicant filed form I-485, Application to Adjust Status under Section 245 of the Immigration and Nationality Act, as amended. The application was denied because the visa petition was denied on February 5, 2019. The applicant filed a Motion to Re-open or Reconsider the adverse action on February 22, 2019. The applicant argues that a change of address form, AR-11, was timely filed via the USCIS website.

CONCLUSION: Upon review of the record, it appears the Service erroneously denied the application.

IT IS ORDERED: The Form I-485 (Application To Adjust Status) is reopened and the adjudication process is continued regarding adjustment to permanent residence pursuant to Section 245 of the INA.

Additionally, the applicant is eligible to apply for employment authorization in accordance with Title 8, Code of Federal Regulations § 274a.12(c)(9).

Sincerely,
Irene Martin
Field Office Director

Signed by:

Cc: Richard Bracken