



U.S. Citizenship
and Immigration
Services

Date: May 04, 2009

[REDACTED]

File: [REDACTED] 526

Motion to Reopen/Reconsider: [REDACTED] 524

PETITION: Immigrant Petition for Alien Worker (Form I-140)

DISCUSSION: Reference is made to Immigrant Petition for Alien Worker (Form I-140) filed by [REDACTED] (the petitioner) on behalf of [REDACTED]. On March 04, 2009, Form I-140 was denied by U.S. Citizenship and Immigration Services (USCIS) because the petitioner failed to submit requested evidence.

On April 03, 2009, the petitioner filed a Notice of Appeal (Form I-290B). Form I-290B was filed within the 30 day period (33 days if the denial was received by mail), but the appeal will be concluded in this office as a motion to reopen or reconsider in order for USCIS to take favorable action.

8 C.F.R. § 103.3(a)(2) states:

AAU appeals in other than special agricultural worker and legalization cases —(i) Filing appeal. The affected party shall file an appeal on Form I-290B. Except as otherwise provided in this chapter, the affected party must pay the fee required by §103.7 of this part. The affected party shall file the complete appeal including any supporting brief with the office where the unfavorable decision was made within 30 days after service of the decision.

(ii) Reviewing official. The official who made the unfavorable decision being appealed shall review the appeal unless the affected party moves to a new jurisdiction. In that instance, the official who has jurisdiction over such a proceeding in that geographic location shall review it.

(iii) Favorable action instead of forwarding appeal to AAU. The reviewing official shall decide whether or not favorable action is warranted. Within 45 days of receipt of the appeal, the reviewing official may treat the appeal as a motion to reopen or reconsider and take favorable action. However, that official is not precluded from reopening a proceeding or reconsidering a decision on his or her own motion under §103.5(a)(5)(i) of this part in order to make a new decision favorable to the affected party after 45 days of receipt of the appeal.

8 C.F.R. § 103.5(a)(8) states:

Treating an appeal as a motion. The official who denied an application or petition may treat the appeal from that decision as a motion for the purpose of granting the motion.

8 C.F.R. § 103.5(a)(2) states in pertinent part:

Requirements for motion to reopen. A motion to reopen must state the new facts to be provided in the reopened proceeding and be supported by affidavits or other documentary evidence...

8 C.F.R. § 103.5(a)(3) states:

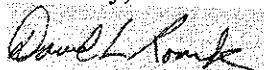
Requirements for motion to reconsider. A motion to reconsider must state the reasons for reconsideration and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or Service policy. A motion to reconsider a decision on an application or petition must, when filed, also establish that the decision was incorrect based on the evidence of record at the time of the initial decision.

The evidence submitted overcomes the grounds stated for denial, because xxx.

CONCLUSION: It is concluded that the grounds stated for denial have been overcome.

ORDER: It is ordered that the petitioner's notice of appeal be concluded in this office as a motion to reopen or reconsider, and that the original decision denying Form I-140 be withdrawn. It is further ordered that Form I-140 be approved. Notice of the approval will be forwarded under separate cover.

Sincerely,



David L. Roark, Director
Texas Service Center

Officer # 277

CC: Law Office of William Jang, PIIC

WELCOME TO THE UNITED STATES OF AMERICA

RECEIPT NUMBER [REDACTED] 290	CASE TYPE I-485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS	
RECEIPT DATE October 8, 2008	PRIORITY DATE October 8, 2008	APPLICANT [REDACTED]
NOTICE DATE May 4, 2009	PAGE 1 of 1	

WILLIAM I. JANG
314 E HIGHLAND MALL BLVD STE 406
AUSTIN TX 78752

Notice Type: Welcome Notice
Section: Adjustment as direct beneficiary of immigrant petition
COA: IR7

WELCOME TO THE UNITED STATES OF AMERICA

This is to notify you that your application for permanent residence has been approved. It is with great pleasure that we welcome you to permanent resident status in the United States.

At the top of this notice you will see a very important number. It is your USCIS A# (A-number). This is your permanent resident account and file number. This permanent account number is very important to you. You will need it whenever you contact us.

We will soon mail you a new *Permanent Resident Card*. You should receive it within the next 3 weeks. You can use it to show your new status. When you receive your card you must carry it with you at all times if you are 18 or older. It is the law.

Please call us at (800) 375-5283 if any of the information about you shown above is incorrect, if you move before you receive your card, or if you don't receive your card within the next 3 weeks. If you call us, please have your A# and also the receipt number shown above available. The receipt number is a tracking number for your application.

Please read the notice that comes with your card. It will have important information about your card, about your status and responsibilities, and about permanent resident services available to you.

Your new card will expire in ten years. While card expiration will not directly affect your status, you will need to apply to renew your card several months before it expires. When the time comes and you need filing information, or an application, or if you ever have other questions about permanent resident services available to you, just call our *National Customer Service Center* at 1-800-375-5283 or visit the USCIS website at www.uscis.gov. (If you are hearing impaired, the NCSC's TDD number is 1-800-767-1833.) The best days to call the NCSC are Tuesday through Friday.

Once again, welcome to the United States and congratulations on your permanent resident status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283

THE UNITED STATES OF AMERICA

RECEIPT NUMBER [REDACTED] 573	APPLICATION NUMBER 1485	APPLICATION TYPE APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE June 2, 2008	PRIORITY DATE June 2, 2008	APPLICANT [REDACTED]
NOTICE DATE May 7, 2009	PAGE 1 of 1	
WILLIAM JANG 314 E HIGHLAND MALL BLVD 406 AUSTIN TX 78752		Notice Type: Welcome Notice Section: Derivative adjustment COA: E19

WELCOME TO THE UNITED STATES OF AMERICA

This is to notify you that your application for permanent residence has been approved. It is with great pleasure that we welcome you to permanent resident status in the United States.

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IMMIGRATION & NATURALIZATION SERVICE
TEXAS SERVICE CENTER
P O BOX 851488 - DEPT A
MESQUITE TX 75185-1488
Customer Service Telephone: (800) 375-5283

UNITED STATES OF AMERICA

1485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS

RECEIPT DATE June 2, 2008	PRIORITY DATE June 2, 2008	RESIDENT STATUS APPLICANT
NOTICE DATE May 7, 2009	PAGE 1 of 1	[REDACTED]
WILLIAM JANG 314 E HIGHLAND MALL BLVD 406 AUSTIN TX 78752		Notice Type: Welcome Notice Section: Derivative adjustment COA: E10

WELCOME TO THE UNITED STATES OF AMERICA

This is to notify you that your application for permanent residence has been approved. It is with great pleasure that we welcome you to permanent resident status in the United States.

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TEXAS SERVICE CENTER
P O BOX 851488 - DEPT A
MESQUITE TX 75185-1488
Customer Service Telephone: (800) 375-5283

UNITED STATES OF AMERICA

RECEIPT NUMBER [REDACTED] 023	CASE TYPE I-130 IMMIGRANT PETITION FOR RELATIVE, FIANCE (E), OR ORPHAN	
RECEIPT DATE August 1, 2006	PRIORITY DATE August 1, 2006	PETITIONER [REDACTED]
NOTICE DATE May 7, 2009	PAGE 1 of 1	BENEFICIARY [REDACTED]
WILLIAM I. JANG LAW OFFICE OF WILL RE: [REDACTED] 314 E HIGHLAND MALL BLVD STE 406 AUSTIN TX 78752		Notice Type: Approval Notice Section: Sister or brother of U.S. Citizen, 203(a)(4) INA

The above petition has been approved. We have sent the original visa petition to the Department of State National Visa Center (NVC), 32 Rochester Avenue, Portsmouth, NH 03801-2909. NVC processes all approved immigrant visa petitions that need consular action. It also determines which consular post is the appropriate consulate to complete visa processing. NVC will then forward the approved petition to that consulate.

The NVC will contact the person for whom you are petitioning (beneficiary) concerning further immigrant visa processing steps.

If you have any questions about visa issuance, please contact the NVC directly. However, please allow at least 90 days before calling the NVC if your beneficiary has not received correspondence from the NVC. The telephone number of the NVC is (603) 334-0700.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NATIONAL BENEFITS CENTER
USCIS, DHS
P.O. BOX #648004
LEE'S SUMMIT MO 64064
Customer Service Telephone: (800) 375-5283

[REDACTED]



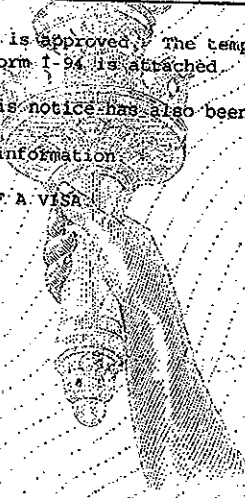
RECEIPT NUMBER [REDACTED] 310	CASE TYPE I539
RECEIPT DATE April 14, 2009	PRIORITY DATE
NOTICE DATE May 8, 2009	PAGE 1 of 1
APPLICANT [REDACTED]	BENEFICIARY [REDACTED]
WILLIAM JANG LAW OFFICE OF WILLIAM JANG PLLC 314 E HIGHLAND MALL BLVD #406 AUSTIN TX 78752	Notice Type: Approval Notice Class: B2 Valid from 04/15/2009 to 10/14/2009

The above application for extension of temporary stay is approved. The temporary stay of the named applicant(s) is authorized to the date indicated above. An updated Form I-94 is attached.

If the applicant has an authorized representative, this notice has also been mailed to the representative.

Please read the back of this form carefully for more information.

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Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
SAINT ALBANS VT 05479-0001
Customer Service Telephone: (800) 375-5283

Form I797A (Rev. 09/07/93)N

[REDACTED]

PLEASE TEAR OFF FORM I-94 PRINTED BELOW, AND STAPLE TO ORIGINAL I-94 IF AVAILABLE

Detach This Half for Personal Records

Receipt # [REDACTED] 310
I-94# [REDACTED]
NAME [REDACTED]
CLASS B2
VALID FROM 04/15/2009 UNTIL 10/14/2009
PETITIONER: [REDACTED]

Receipt Number [REDACTED] 310
Immigration and Naturalization Service
I-94
Departure Record Petitioner:

14. Family Name [REDACTED]	16. Date of Birth [REDACTED]
15. First (Given) Name [REDACTED]	
17. Country of Citizenship [REDACTED]	

UNITED STATES OF AMERICA

RECEIPT NUMBER [REDACTED] 550	CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT
RECEIPT DATE June 2, 2008	PRIORITY DATE June 2, 2008
NOTICE DATE May 11, 2009	PAGE 1 of 1
RESIDENT STATUS APPLICANT [REDACTED]	
WILLIAM JANG 314 E HIGHLAND MALL BLVD 406 AUSTIN TX 78752	Notice Type: Welcome Notice Section: Adjustment as direct beneficiary of immigrant petition COA: E18

WELCOME TO THE UNITED STATES OF AMERICA

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TEXAS SERVICE CENTER
P O BOX 851488 - DEPT A
MESQUITE TX 75185-1488
Customer Service Telephone: (800) 375-5283

UNITED STATES OF AMERICA

1573		RESIDENT STATUS
RECEIPT DATE June 2, 2008	PRIORITY DATE June 2, 2008	APPLICANT [REDACTED]
NOTICE DATE May 22, 2009	PAGE 1 of 1	
WILLIAM JANG 314 E HIGHLAND MALL BLVD 406 AUSTIN TX 78752		Notice Type: Welcome Notice Section: Derivative adjustment COA: E19

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IMMIGRATION & NATURALIZATION SERVICE
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P O BOX 851488 - DEPT A
MESQUITE TX 75185-1488
Customer Service Telephone: (800) 375-5283

UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY
U.S. CITIZENSHIP AND IMMIGRATION SERVICES

NOTICE OF REMOVAL OF CONDITIONAL BASIS
OF LAWFUL PERMANENT RESIDENCE

File Number: [REDACTED]

Date of Decision: 05/29/2009

New Classification
Symbol: IR6

Admission Date: 01/09/2007

Congratulations! Your request for the removal of the conditional basis of your permanent resident status has been approved. You are deemed to be a Lawful Permanent Resident of the United States as of the date of your original admission or adjustment of status.

You should receive a new Permanent Resident Card, Form I-551 (green card), within 60 days. Your card will include a mailer, Form I-797D, with important information about your status, responsibilities, and permanent resident services available to you.

Please call customer service at 1-800-375-5283 (TDD 1-800-767-1833) if you experience the following issue/s: (Have your Alien number shown above available)

- * If any of the information shown above about you is incorrect
- * If you move before receiving your card
- * If you do not receive your card within the next 60 days
- * If you have questions regarding permanent resident services available to you

USCIS OFFICE:

DEPARTMENT OF HOMELAND SECURITY
U.S. CITIZENSHIP AND IMMIGRATION SERVICES
US FED BUILDING
8940 FOURWINDS

SAN ANTONIO TX 78239

Sincerely,



Daniel M. Renaud
Center Director

LAW OFFICE OF WILLIAM JANG PLLC
W JANG
314 E HIGHLAND MALL BLVD #406
AUSTIN TX 78752