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# J-1 Physician applying for following to join after waiver

## J-1 Physician applying for following to join after waiver <sup>[1]</sup>

Submitted by Chief Editor on Mar 2nd 2017

I am a physician currently in H-1B undergoing 3 years of J-1 waiver program which is set to be completed on July end of this year. My husband got his greencard through E-B2 category (rest of the world) in early 2013 When I was still in J-1. My name was included in I-140 but could not file I-485 due to my J-1 visa. I have been married since 2006 and came to the US initially on H-4 visa before getting residency in J-1 visa. Is there a possibility of filing my I-485 directly without waiting for the long I-130 approval process? Or is there any exceptions for a situation like mine such that spouse happened to be in J1 and could not apply for a change of status at the time primary applicant applied for I-485?

### **ANSWER:**

*Watch Video on this FAQ: J-1 Physician applying for following to join after waiver* <sup>[2]</sup>

### **Video Transcript:**

Yes, if you are in the USA in legal status and his priority date through which he got his green card is still current you should be able to file your I-485 directly. More...<sup>[2]</sup>

**Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.**

### **Nonimmigrant Visas:**

J-1 Visa <sup>[3]</sup>

H-4 Visa <sup>[4]</sup>

H-1 Visa <sup>[5]</sup>

### **Green Card:**

Employment Based Green Cards <sup>[6]</sup>

EB2 Green Card <sup>[7]</sup>

[Form I-130](#) [8]

[Form I-485](#) [9]

**Immigration Law :**

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**FAQ Transcript:**

**Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.**

**Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [12] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [13]**

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**Links:**

[1] <https://immigration.com/faq/employment-based-green-cards-eb2-green-card-form-i-130-form-i-485/j-1-physician-applying>

[2] <https://youtu.be/HVOjYpLmmk?t=2009>

[3] <https://immigration.com/visa/nonimmigrant-visas/j-visa/j-1-visa>

[4] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-4-visa>

[5] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-1-visa>

[6] <https://immigration.com/greencard/green-card/employment-based-green-cards>

[7] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb2-green-card>

[8] <https://immigration.com/greencard/green-card/form-i-130>

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[10] <https://immigration.com/law/immigration-law/ead>

[11] <https://immigration.com/law/immigration-law/waiver>

[12] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[13] <http://www.immigration.com>

[14] <https://immigration.com/JavaScript%3Aavoid%280%29%3B>