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AC-21, I-485 Denial Reversed

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Submitted by Chief Editor on Aug 30th 2013

We represented a Computer Software Engineer and his spouse. USCIS denied the applicant's Form I-485 because his former employer withdrew his previously approved I-140 petition when the applicant moved to a different employer. The employer and their lawyer refused to provide any information regarding the filing. So we were constrained to obtain the relevant information directly from the government. Once we received our client's job description with his former employer, we were able to assess the applicant's AC-21 porting eligibility. Based on this information, we filed a motion to reopen and reconsider the I-485, explaining that the applicant's I-485 should not have been denied, considering his eligibility for AC21 portability. USCIS agreed, vacated the denials, and reopened the case.

Green Card:

Form I-485 ^[2]

AC21 AOS Portability ^[3]

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Links:

[1] <https://immigration.com/sample-cases/ac21-aos-portability/ac-21-i-485-denial-reversed>

[2] <https://immigration.com/greencard/green-card/form-i-485>

[3] <https://immigration.com/greencard/green-card/adjustment-status/ac21-aos-portability>