

COMMUNITY

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One family's immigration story



ATTY. ROBERT REEVES & JEFF L. KHURGEL

YOUR IMMIGRATION SOLUTION

ON April 11, 2008 the United States Citizenship and Immigration Services (USCIS) approved the Adjustment of Status applications of Mr. Reynaldo Abad and his family. This joyful event occurred merely 45 days after the Abad family had their immigration hopes placed in doubt upon receiving a "Notice of Intent to Deny" their applications from the USCIS. Reeves & Associates filed a timely response with the USCIS, resulting in another success story.

The Abad family's story as immigrants in the United States began when Mr. Abad entered the US from the Philippines in December of 2000 on a Visitor's Visa. His wife and daughter joined

him in December of 2001. Mr. Abad was later approved for a change of status from Visitor to H-1B Specialty Worker. Mr. Abad, who held a bachelor's degree and was trained in Computer Programming, was fully qualified for this status. He worked loyally and diligently for his employer, which subsequently decided to sponsor him for permanent residency. The Abad family's second daughter was born a United States citizen in 2002.

In June of 2007, after having been in the country for over 6 years, Mr. Abad began the legal process of adjusting from an H-1B worker in the US to a permanent resident. Mr. Abad's employer submitted the documentation necessary to initiate the Adjustment of Status procedure for Mr. Abad. As a Programmer Analyst with over 10 years of experience, Mr. Abad was petitioned in the Employment-Based Third Preference Cat-

egory, as a Professional Worker. The immigrant visa petition and adjustment of status package also included Mr. Abad's wife and eldest daughter.

On January 30, 2008, approximately 6 months after the filing of Mr. Abad's Applications, the USCIS sent Reynaldo a letter which shocked his family. The letter from the USCIS informed Mr. Abad that they intended to deny his family's Adjustment of Status applications. The Notice of Intent to Deny informed him that the applications are headed towards denial because Mr. Abad allegedly worked without authorization while in his H-1B status. The USCIS only allowed Mr. Abad 33 days to respond to the letter of intention.

A US worker must maintain legal immigration status in order to be eligible to adjust status in the United States. Throughout his entire period of stay in the US, Mr. Abad had complied with all the legal requirements out of respect

for US immigration laws. He was now being improperly denied his adjustment of status application. The USCIS' Notice of Intent to Deny was based on an allegation that Reynaldo violated his H-1B status by working without authorization.

H-1B nonimmigrant workers in the United States are only permitted to work for their H-1B sponsor employer in the specialty occupation. The worker's status in the US is tied to their sponsoring employer and no other employment is permitted. The USCIS, in looking over Mr. Abad's supporting documents, determined that several of his tax returns indicated income derived from a personal business. This information was incorrect, and the result of an error by a previous tax preparer of Mr. Abad's.

If the USCIS were to proceed in its intent to deny Mr. Abad's Adjustment of Status application, it would also likely revoke his H-1B

status, leaving him and his family without legal status in the US and the family would have been placed in deportation.

On February 12, 2008, only 20 days before the deadline for responding to the USCIS, Mr. Abad retained Reeves & Associates to handle his immigration case. An in-depth conference with Reeves & Associates attorneys resulted in a full understanding of the details surrounding Mr. Abad's case. In response to the Notice of Intent to Deny, a legal brief detailing the factual circumstances and applicable law surrounding Mr. Abad's case was drafted by R&A attorneys. An independent accountancy expert was consulted and various documents, including declarations from relevant parties were included in R&A's comprehensive response. On February 26, 2008, R&A submitted a comprehensive rebuttal to the USCIS' Notice of Intent to Deny.

Forty five days later, and seven

years after entering the United States, the Abad family learned that their dream of immigrating to the US finally came true and the Abad family received their Green Card Approval Notices in the mail. Because of R&A's representation, Mr. Abad and his family are now Lawful Permanent Residents of the United States, entitled to all of the rights and privileges that this status provides.

Atty. Reeves has represented clients in numerous landmark immigration cases that have set new policies regarding INS action and immigrants' rights. His offices are located in Pasadena, San Francisco, Las Vegas and Makati City.

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The analysis and suggestions offered in this column do not create a lawyer-client relationship and are not a substitute for the personalized representation that is essential to every case.

(Advertising Supplement)

IBM pledges \$250M for volunteer program

SAN FRANCISCO—IBM Corp. pledged Monday, Sept. 8, to contribute \$250 million in services to charities and nonprofit groups, expanding a program that sends rising stars within the company to developing countries to polish their leadership skills in diverse environments.

The Armonk, NY-based company announced the three-year commitment in conjunction

with a speech by President Bush at the White House on volunteerism in which he praised the innovation of IBM's Corporate Services Corps program.

IBM describes the program as a corporate version of the Peace Corps. Interested employees apply for a limited number of slots. If selected — IBM says its acceptance rates are sometimes lower than

Harvard University's — they are sent off to work with groups in emerging countries on a variety of business and technology problems, such as building out information technology infrastructure or starting micro-financing programs.

The \$250 million refers to pro bono services and employees' time that IBM plans to donate over the next three years as part of the program. (AP)

Google, NBC Universal ink ad deal

SAN FRANCISCO—Internet search leader Google Inc. and NBC Universal said Monday, Sept. 8, they're teaming up to allow Google to sell advertisements on some of NBC's cable channels such as MSNBC, Oxygen and the Sci Fi network.

The partnership signals Mountain View, Calif.-based Google's desire to sell ads in different places besides next to its search engine, and NBC's efforts to get access to advertisers who currently advertise online through Google but don't place any ads on TV.

It also illustrates the desire of both companies to capture more data on which TV ads are most popular among viewers, and how to find those people, an ability made possible because of Google's partnership with Englewood, Colo.-based Dish Network Corp., the second-largest satellite TV service in the U.S.

Through that partnership, Google can measure


down to the second what viewers are watching by monitoring data flowing through the DISH Network's set-top boxes.

That gives advertisers a valuable insight into which ads are working, and which ones are flops, and allows them to better target their ad campaigns.

NBC said Google will be allowed to advertise in some of the slots on the CNBC, MSNBC, Oxygen, Sci Fi and Sleuth and Chiller channels "in the coming months," with a potential to expand to other channels in the future.




The companies said they will share all ad revenues from the partnership and are looking at ways to allow Google to sell ads locally, not just at the national level.

NBC Universal is a unit of General Electric Co. (AP)











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