

IMMIGRATION CORNER



ATTY. MICHAEL GURFINKEL

Who is included under my petition?

immediate family members whether or not those family members were named in the original petition. These family members (such as spouses or children), called "derivative beneficiaries," may not have even been around at the time the petition was filed.

The following are the various petition categories, indicating whether or not a "later acquired" spouse or child can be included or added on to the petition:

Immediate Relative (Spouse, parent or child [under 21 years of age] of US Citizen (IR)

Derivative beneficiaries are not allowed for Immediate Relatives. Each Immediate Relative must have his or her own petition, separately filed on his or her behalf. In other

words, for immediate relatives, only one person per petition/no derivatives. That is why if a US citizen petitions his parents, he must file two petitions: one for his father, and one for his mother. If an American citizen has five children, he must file five separate petitions. Therefore, if an American petitions, let us say his 18 year-old daughter who has an illegitimate child (the grandchild of the US citizen petitioner), that grandchild would not be included under the 18-year-old petition. This is because only one person is allowed per petition. Similarly, if an adult US citizen petitions her mother, who has an 8-year old-child (a younger sister of the US citizen petitioner), that 8-year-old also will not be included under that immediate relative

Continued on Page 4

PART 1
 Dear Atty. Gurfinkel:
 Many years ago, I was petitioned by my sister when I was young and single. While waiting for my priority date to become current, I got married and had children.
 My priority date is now current and I am about to be processed for my visa. Would my kids and spouse be able to immigrate with me even though they are not listed in the petition?

Very truly yours,
 D.M.

Dear D.M.:
 Some petitions allow a person to "add on" or include certain

Melissa de Leon's battle with cancer & the fight for her children's birthright on this Sunday's 'Citizen Pinoy'

REDWOOD CITY, CA.—Years ago, multi-awarded dramatic actor Christopher de Leon was granted "instant" US citizenship by the US Embassy when US immigration attorney Michael J. Gurfinkel discovered Christopher's grandfather, Abe Strauss, was naturalized in 1919 as an American citizen. Instant citizenship was also awarded to Christopher's 4 children. It was a happy surprise for the actor, considered to be one of the greatest Filipino actors of all time.

His sister, Melissa de Leon, was also able to acquire her US citizenship the same way. At that time, Melissa already had three children, whom she hoped could also secure their US citizenship by virtue of their American birthright. Melissa tried to work on her children's papers by herself



MELISSA'S BATTLE WITH CANCER & FIGHT FOR HER CHILDREN'S BIRTHRIGHT, ON THIS WEEK'S 'CITIZEN PINOY'. Melissa De Leon (2nd from right, along with her mother, Lilia Dizon (2nd from left), and Melissa's children shares the dramatic story of her struggles with cancer, and how she found strength through it all, to ensure a better future for her three children. This Sunday, leading US immigration attorney Michael J. Gurfinkel (3rd from right) features another success story and answers your immigration questions, on the most popular immigration show on television—'Citizen Pinoy,' which airs every Sunday at 5:40pm (PST), with replays on Wednesdays at 12:15am (PST) on TFC. 'Citizen Pinoy' also airs on ANC-US every Sunday at 1am with replays on Sundays at 9am and Thursdays at 8pm, all PST; and on ANC in the Philippines every Sunday at 4pm, with replays at 12 midnight on Mondays.

Tawag na DIRECT™
 KEEPING FAMILIES TOGETHER

Rates as low as
10.9 cents
 per minute

Enjoy
10
 FREE MINUTES
 to call the
 Philippines

Try Tawag na Direct
 and get up to
84 FREE MINUTES
 to call the Philippines!

Want more FREE MINUTES? Take a look at our
 New Sign-up Incentive Program:

PLAN	FREE MINUTES	
TND \$10	\$3.18	(20 FREE Minutes)
TND \$25	\$5.00	(34 FREE Minutes)
TND \$50	\$7.75	(60 FREE Minutes)
TND \$100	\$10.00	(84 FREE Minutes)

Register now and enjoy big, big savings!
Call our toll free number NOW!
1-877-379-6439
 PROMO CODE: **FASO**

Visit our websites: www.mytawagnadirect.com

ROBINSONS LAND CORPORATION

THE TRION TOWERS
 BONIFACIO GLOBAL CITY

Woodsville VIVERDE
 MERVILLE, PARAÑAQUE CITY

Sonata
 PRIVATE RESIDENCES
 ORTIGAS CENTER

MABUHAY... Take the road to a richer tomorrow!

Robinsons Land Corporation offers you a chance to live and create your future with a variety of projects that perfectly fit your needs. Whether for retirement homes, investments or leisure needs.

Interested brokers or agents/referrals at the following areas may apply through email.
CALIFORNIA (Daly City, Los Angeles, San Diego, Sacramento, San Francisco)
NEVADA (Las Vegas)