

Pg. #6, Part #7, Item#3.d. (Additional Information)

Your Name
Address
Address Line 2

CC: USCIS San Francisco Field Office
630 Sansome St.
San Francisco, CA 94111

USCIS San Bernardino Field Office
995 E Hardt St.
San Bernardino, CA 92408

Congressman's Office
Address
Address
Address

Date, 2023

USCIS Chicago Lockbox (this is where we sent ours)
Attn: AOS
P.O. Box 805887
Chicago, IL 60680

RE: 290 B: Motion to Reopen/Motion to Reconsider

Petitioner: Name;
DOB: 00/00/0000
Receipt #
A#

To Whom It May Concern;

On August 10, 2023, the USCIS Field Office in San Bernardino made a decision to deny my I-485 Application due to form I-693 not being received. I am submitting the following evidence showing I did meet the requirements to file an Adjustment of Status, and sent the requested evidence (I-693 Report of Immigration Medical Examination and Vaccination Record) within the allotted time as requested by USCIS. I am also requesting this be expedited due to imminent loss of my job, due to a USCIS Service error.

Please see enclosed evidence as follows the timeline of events leading to the denial notice:

1. Copy of online notice dated September 27, 2022, from USCIS National Benefits Center online stating that an RFE would be issued for the I-693 form,
2. Copy of I-693 medical form, obtained by myself from the civil surgeon. Date signed by Civil Surgeon: January 25, 2023,

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3. Copy of official RFE notice dated March 8, 2023, sent by USCIS San Bernardino Field Office, requesting I-693 due by June 5, 2023,
4. Copy of Courtesy letter dated March 17, sent by email from USCIS San Bernardino Field Office,
5. Copy of response letter to USCIS San Bernardino from myself, created and printed on March 9, 2023, sent on March 17, 2023, with evidence (I-693 sealed packet) enclosed,
6. Screen shot of USCIS website on August 4, 2023, stating evidence had been received and was being reviewed,
7. Copy of USPS certified mail receipt, plus tracking details and signature pages indicating USCIS received the packet containing the evidence (I-693 sealed packet) that was sent certified on March 17, 2023,
8. Copy of denial letter from USCIS San Bernardino Field Office

Statement Regarding: Motion to Reopen

USCIS denied my I-485 Application on August 10, 2023, alleging the requested I-693 packet was never received by the San Bernardino field office. The evidence shows that I have done everything I need to do in order to comply with the request, including; getting my medical exam completed before the official RFE notice was sent, and mailing the medical exam to USCIS in a sealed envelope, according to instructions in the RFE. I tracked this envelope and the tracking information (shown in the following pages of evidence) shows that the packet arrived to USCIS front desk/reception on March 20, 2023, and was signed with the address of "995 Hardt", and "USCIS". The evidence submitted shows that I was eligible and met criteria to adjust status under INA 245, as the I-693 had been completed (January 25, 2023), submitted (March 17, 2023) and accepted (March 20, 2023) by personnel at USCIS **Full Field Office Address**.

Statement Regarding: Motion to Reconsider

USCIS denied my I-485 Application on August 10, 2023, alleging the requested I-693 packet was never received by the San Bernadino Field Office, as referenced in the denial notice, resulting in the denial of my application in accordance with 8 CFR, Part 103.2(b)(13). This is incorrect application of policy and/or law, as the medical form (I-693) was received by USCIS within the timeframe allowed to submit the form. My I-693 packet was mailed certified to USCIS in a sealed envelope, according to instructions in the RFE. I tracked this envelope and the tracking information from the United States Postal Service (shown in the following pages of evidence) shows that the envelope containing the I-693 did arrive to USCIS front desk/reception on March 20, 2023, and was signed with the address of "995 Hardt", and "USCIS".

The evidence submitted shows that I was eligible and met criteria to adjust status under INA 245, as the I-693 had been completed (January 25, 2023), submitted (March 17, 2023) and accepted (March 20, 2023) by personnel at USCIS San Bernadino Field Office at 995 E Hardt St., San Bernadino, CA 92408.

After receiving the denial notice from USCIS, I called and spoke to a customer service representative (August 11, 2023). I stated my concern, and advised I had proof that USCIS received the form that the denial was based on. I also stated the USCIS website had been updated a week prior (August 4, 2023) to the denial notice on August 10, 2023, showing that evidence had been received and was being reviewed. I was advised the only avenue to fix this was to submit the 290 B.

The denial of my I-485 application was based on an erroneous conclusion of facts. The fact that this important and expensive envelope made it to a USCIS field office and was signed for by USCIS personnel, but never made it to our case file, is rightly disturbing, as that envelope contains not only the evidence needed to complete my application and move forward in the process, but sensitive data of mine as well.

Please accept this payment of \$675 in order to file form 290B. Please let me know if you should need anything else from me. I look forward to resolving this matter.

Regards,

Your Name