



Published on *US Immigration Lawyer, Law Offices of Rajiv S. Khanna, PC, Rajiv S. Khanna* (<https://immigration.com>)

Denial of Naturalization/Citizenship Applications

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Submitted by Chief Editor on Sep 12th 2017

Back in 2007 I started dating my now ex husband back in high school. In 2010 we got married, we were 18 at the time. The Process was estressful because the IO thought we got married for the papers, we had 30 days to prove it was a bonafide marriage, we hired a lawyer, sent the proof, waited for a long time, finally got the permanent green card after 2 years. A month after he left, he said wasn't happy anymore, we didn't get a divorce but 5 months later I met someone, and then 3 months after I got pregnant, my ex and I ended up getting a divorce in December 2016. Could they use it against me applying now for my citizenship after being a resident for 5 years? Could they use that they thought it was fraud before (even though it was proven otherwise) against me because of everything that happened after(us separating, him leaving, me getting pregnant)?

ANSWER:

Watch the Video on this FAQ: Denial of naturalization/citizenship applications - the new trend ^[2]

Video Transcript

Under the Trump administration, I am noticing there has been a much higher incidence of naturalization applications getting denied for some. Some of them are very odd reasons. I will discuss three cases so that you folks can share and be mindful before you file naturalization application.

One was an employee who had been a green card holder for six or seven years and applied for naturalization and government denied his naturalization saying that when we approved your I-485 we should not have approved it because you were working in a place where you were not authorized to work without getting a proper amendment back in 1998. So, they have gone back so many years to say that because of that your green card was approved in error. According to them, It should not have been approved and they were not going to give naturalization. The interesting thing is that I had told them that I had represented the company that was being hauled up for fraud only to the extent that I wanted to negotiate upon the

employer's request with the US attorney's office so that the employees don't get hurt because none of the employees was implicated in any of the allegedly fraudulent dealings. But I was not able to convince the USCIS. We could get the US Attorney's office on our side and make them see that these employees do not need to suffer. So, the result is several years later somebody's notice is being denied. The problem being if USCIS can deny naturalization by stating there was an error in the green card application they can also go after the green card. That could be the next logical step and that's what worries me and that's highly unfair. Of course, we are going to take up the case and fight it for these folks.

The second case being the employer signed a Form 9089. According to the government that was fraudulent because they failed to disclose the relationship of the employee with the CEO of the employer. The lawyer had told them that this is a far-removed relationship it's not immediate family so you can say "no" to the Form 9089 question where it says, "are you related to the employee under the green card process?" and they said "no" and their notice is being denied because government says you lied on that form. Again, we would be able to fight this case.

The third case is order. People have lived here for 15 to 17 years. Everybody in the family is a citizen, the lady of the house who is not a citizen yet applied for naturalization but in the meantime, husband got a great temporary job offer outside the United States and the government says you are going to lose your green card. They have just moved recently and I don't see how they can do that. I don't see how it is questionable, and it is outrageous, but we must be prepared for the new paradigm of immigration law.

So, when you go for naturalization I strongly advise you to please discuss your background with a competent counsel. [More...](#) [2]

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.

Citizenship and Naturalization:

[Citizenship](#) [3]

[Naturalization](#) [4]

FAQ Transcript:

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Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [5] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [6]

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[2] <https://youtu.be/288p-lRlnm8?t=72>

[3] <https://immigration.com/citizenship/citizenship-and-naturalization/citizenship>

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