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MTR I-485 survivor benefits

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Submitted by Rajiv S. Khanna on Aug 19th 2014

We represented a client and her minor child. They had filed their I-485 applications as derivative applicants. Two months after the I-485 filing, the primary applicant, her husband died in a tragic accident. USCIS requested biometrics for all applicants, but she did not appear because she was informed that her I-485 application would not survive the death of the primary applicant. We filed a motion to reopen the case, showing that the applicant was and is legally entitled to survivor benefits under the Immigration and Nationality Act. USCIS reopened the case for the applicant and her minor child in approximately six weeks. Her I-485 has been reinstated.

Status:

I-485 AOS reinstated

Green Card:

Form I-485 ^[2]

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Links:

[1] <https://immigration.com/sample-cases/%5Bform-i-485/mtr-i-485-survivor-benefits>

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