

## MEET YOUR CLIENTS:

Louisa Villegas is an LPR married to Jorge Villegas. Louisa and Jorge are both from Mexico. They married on November 16, 2013, after dating for six months. They were each married before and have children from their prior marriages as follows:

Louisa's children:

- a. Juliana Mendoza, USC, DOB: 2/14/2000(age 15)
- b. Luis Mendoza, USC, DOB: 1/17/1998 (age 16)

Jorge's children:

- c. Nina Villegas, DOB: 11/02/1994, undocumented (age 19)
- d. Jaime Villegas, DOB: 12/15/1995, undocumented (age 18)

Jorge came to the U.S. with a tourist visa in 2008, and has been in the U.S. since his entry. Nina and Jaime came in 2012 with their mother, and were smuggled into the U.S. Louisa and Jorge have lived together since their marriage, along with Juliana, Luis and Jaime. Nina lives with her boyfriend and she just found out that she is pregnant.

### Issues to be Reviewed in Week Five Webinar:

Louisa is now a U.S. citizen and therefore Jorge's previously approved 2<sup>nd</sup> preference I-130 visa petition is now available as an Immediate Relative petition. In addition, Jaime's US citizen aunt on his maternal side had previously filed a visa petition for Jaime's mother in July 1998, while Jaime's mother was residing in the U.S.

1. Can you file for adjustment of status for Jorge? Under what section of the law - 245(a) or 245(i)? Why?
2. What documents should Jorge provide demonstrating his eligibility for adjustment?
3. Does Jaime qualify to adjust status? What if you find out that Jaime's USC aunt on his maternal side previously filed a petition for Jaime's mother in July 1998 - would that affect his eligibility for adjustment?