

# TPS HOLDERS MAY BE ELIGIBLE TO BECOME A U.S. RESIDENT

*Flecha Law, Ltd. is a law firm in Columbus, Ohio focusing on meeting the needs of the immigrant and Spanish-speaking community. We focus on providing competent representation with courtesy and compassion on matters involving immigration, small business, traffic and family law. Both Attorneys speak Spanish and English fluently.*

Temporary Protected Status (TPS) was granted to foreign nationals from particular countries that the U.S. Government has determined certain conditions exist that are not safe for the foreign national to return.

If an individual has TPS, he or she is safe from removal, may receive an employment authorization document, and may be granted travel authorization.

However, this Administration is not only not granting TPS to foreign nationals from countries with similar conditions, but is seeking to terminate TPS for those who already have it. It is essential that if you have TPS, you maintain your status.

Fortunately, if you have TPS now

and living in certain states\*, you may be eligible to file an adjustment of status application to become a lawful permanent resident of the U.S. These states are as follows: Ohio, Tennessee, Michigan, Kentucky, California, Arizona, Nevada, Idaho, Montana, Washington, Oregon, Alaska, and Hawaii.

In order to be eligible, you must be a beneficiary of an approved qualifying petition. For example, a qualifying petition may be a family petition where an immigrant visa is immediately available, *i.e.* U.S. Citizen applied for a spouse, minor child, or parent. Further, as of the date of this article, there are visas immediately available for Lawful Permanent Residents applying for his or her spouse and minor child.

Of course, as with all immigration statutes, laws, rules, regulations, and policies, a careful legal analysis must be undertaken of a TPS holder's case before filing for adjustment of status to gain U.S. residency. Exceptions and particular circumstances may exist which will prevent, or make it unadvisable, for a TPS Holder to file for adjustment of status. It is very important you seek legal advice from an attorney who is well-versed in immigration law.

\*The courts in the Sixth and Ninth Circuit recognized TPS holder as being admitted and inspected. *Flores v. USCIS*, 718 F. 3d 548; *Ramirez v. Brown*, 852 F.3d 954 (9th Cir. 2017).

HAPPY FOURTH OF  
JULY!

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following trivia question. We will  
randomly select two winners who will  
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*What are two rights in the Declaration of  
Independence?*

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## STATUS OF IMMIGRATION OFFICES DUE TO COVID-19

On June 4, 2020, USCIS reopened many offices around the country, however, a few offices remain closed. The Application Support Centers, which are responsible for biometrics appointments, are closed and will open at a later date. The USCIS Field Offices are now open to the public, as well as the Asylum Offices. Naturalization Ceremonies have also resumed.

We are still waiting to learn when the US Embassies will

reopen for visa processing.

On March 20, 2020, the Department of State announced a temporary suspension of visa services at US Embassies globally. No new information has been released as to when to expect visa services to resume.

We are continuing to carefully monitor changes and encourage clients to reach out to us with any questions or concerns.