



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

In Re: 30520277

Date: FEB. 20, 2024

Appeal of Vermont Service Center Decision

Form I-485, Application Register Permanent Residence or Adjust Status (U Nonimmigrant)

The Applicant seeks to become a lawful permanent resident (LPR) under section 245(m) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1255(m), based on her “U-1” nonimmigrant status. The Director of the Vermont Service Center denied the Form I-485, Application to Register Permanent Residence or Adjust Status (U Nonimmigrant) and the matter is now before us on appeal. This office reviews the questions in this matter de novo. *See Matter of Christo’s Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will remand the matter to the Director for the issuance of a new decision.

U.S. Citizenship and Immigration Services may adjust the status of a U nonimmigrant to that of an LPR if, among other eligibility requirements, she has been physically present in the United States for a continuous period of three years since the date of her admission as a U nonimmigrant. Section 245(m)(1)(A) of the Act. To demonstrate continuous physical presence, a U adjustment applicant must provide, in pertinent part, a photocopy of all pages of all passports valid since the date of her admission as a U nonimmigrant or, in the alternative, an equivalent travel document or a valid explanation of why she does not have a passport. 8 C.F.R. § 245.24(d)(5).

The Applicant was granted U nonimmigrant status from November 30, 2017 until November 29, 2021. She filed the instant U adjustment application in August 2021. The Director denied the application, finding that the Applicant had not complied with 8 C.F.R. § 245.24(d)(5) because she did not provide complete copies of her passports. On appeal, the Applicant maintains that her “attorney mistakenly did not include page number 1 for each passport” and submits the complete copies of her passports. Because this evidence is directly relevant to the Director’s ground for denial of the Applicant’s U adjustment application, we will remand the matter for further consideration of whether the Applicant has satisfied the requirements of 8 C.F.R. § 245.24(d)(5) and otherwise established eligibility for adjustment of status to that of an LPR under section 245(m) of the Act.

**ORDER:** The decision of the Director is withdrawn. The matter is remanded for the entry of a new decision consistent with the foregoing analysis.