

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Seattle Field Office
12500 Tukwila International Blvd
Seattle, WA 98327



U.S. Citizenship
and Immigration
Services

Date: April 26, 2021

Alexandra Lozano
Immigration Law, PLLC
16400 Southcenter Pkwy Ste 410
Tukwila, WA 98188

A216664871
MSC2100650239

RE: Claudio Murguia Chavez

DECISION

Dear Claudio Murguia Chavez:

Thank you for submitting Form I-131, Application for Travel Document, with this U.S. Citizenship and Immigration Services (USCIS) office on September 30, 2020. You filed your Form I-131 to request parole in place under section 212(d)(5)(A) of the Immigration and Nationality Act (INA) as a parent of an active duty member of the United States Armed Forces.

INA section 212(d)(5)(A) authorizes USCIS, on behalf of the Secretary of Homeland Security, to parole into the United States any "applicant for admission." USCIS exercises this parole authority "on a case-by-case basis." Whether to grant parole is a matter of agency discretion. To exercise this discretion favorably, USCIS must find that parole is justified either by "urgent humanitarian reasons" or "significant public benefit."

We have carefully considered the facts of your case and we are unfortunately unable to extend parole in place to you at this time.

You submitted the following evidence in support of your application:

- Photocopy of your Mexican birth certificate with translation
- Photocopy of your Mexican passport
- Photocopy of your son Luis Murguia-Venegas' birth certificate
- Photocopy of your Social Security Card
- Photocopy of son's DA Form 3286 Statement of Enlistment United States Army Enlistment Program
- Photocopy of your son's DD Form 4/2 Enlistment/Reenlistment Armed Forces of the United States contract

- Printed copy of Evidence of Good Moral Character – WATCH Report
- Letter from your attorney – Requesting Parole in Place on your behalf
- Form G-28

On September 30, 2020, you submitted Form I-131, Application for Travel Document, to U.S. Citizenship and Immigration Services (“USCIS”) at the Seattle Field Office. On October 07, 2020, the Application Support Center (ASC) at the Seattle Field Office, issued an ASC Appointment Notice, to you and your attorney or accredited representative, requesting you that you appear to have your biometric information collected. That time period has elapsed and, as of this date, there is no record of a request to change the appointment date.

On January 22, 2021, a subsequent notice was sent to the address of record and to the attorney or accredited representative associated with your case. The second notice again requested that you appear to have your biometric information collect on February 16, 2021. Again, USCIS did not receive a request to have the second appointment rescheduled, and the second notice was not returned as undeliverable.

Every form, benefit request, or other document must be submitted to DHS and executed in accordance with the form instructions 8 CFR § 103.2 (a)(1). The I-131 General Instructions state that “Failure to attend the biometrics services appointment may result in denial of your application”.

In addition, failure to appear for biometrics capture where USCIS requires an individual to appear for biometrics capture or other in-person process, but the person does not appear, the benefit request shall be considered abandoned and denied; unless by the appointment time USCIS has received a change of address, or rescheduling request that warrants excusing the failure to appear, see 8 CFR § 103.2(b)(13)(ii).

Therefore, the application is denied due to abandonment. Submission of a request to reschedule, or evidence to excuse your absence from the ASC appointment at this time will not serve as a means to overcome this decision.

This decision does not prevent you from filing any petition or application in the future.

Sincerely,



Cynthia Munita
Field Office Director