



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

April 27, 2015

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Receipt Date: 12/24/2014

KALYA ARCHANA BHAT
c/o Satish Kamath
950 MERIDIAN AVE # APT 65
SAN JOSE, CA 95126-4045

Request for Evidence

Dear KALYA ARCHANA BHAT:

This letter refers to the Application to Extend/Change Nonimmigrant Status you filed on 12/24/2014, with U.S. Citizenship and Immigration Services (USCIS).

After a thorough review of the supporting documentation submitted with your Form I-539, USCIS has determined that additional information and/or documentation is needed.

1. Correspondence - Reason for Attending School in U.S.

Please submit justification for remaining in the United States to study instead of attending an institution in your home country.

Submit a statement regarding the reasons and justification for returning to school at this time, and an explanation regarding how such schooling would benefit you upon your return to your home country.

When you log into your USCIS Electronic Immigration System (ELIS) account to submit this evidence, please select the Correspondence" evidence category and upload as "Reason for Attending School in U.S."

2. Employment - Pay Stub

The record indicates that the principal alien is employed in an H-1B nonimmigrant status.

Your application was filed without sufficient evidence to document that you have been maintaining a valid nonimmigrant status throughout the H-4 previously approved period and at the time the present application was filed. You submitted pay stubs from the H-1B employer dated 10/01/2014 - 10/31/2014. You filed this application on 12/24/2014. Therefore, you need to submit evidence that the principal H-1B was maintaining a valid status at the time this application was filed.

Therefore, it is requested that you submit evidence to establish that you have met the maintenance of status requirement. You may provide a combination of the following or similar types of evidence.



Such evidence may include but is not limited to:

Copies of the H-1B pay records (leave and earnings statements, and pay stubs, etc.) for the last two pay periods prior to the filing of the present application;

Statement attesting to the H-1B current employment status, performance, and/or work history.

A change of status may not be approved for an applicant who failed to maintain the previously accorded status or where such status expired before the application was filed. However, the regulation governing timely filing of a request for a change of status allows that USCIS may exercise its discretion and excuse the untimely filing only if the delay meets the following four criteria as stated by regulation at the time of filing:

- (1) The failure to file a timely application was due to extraordinary circumstances beyond the control of the applicant or petitioner, and the Service finds the delay commensurate with the circumstances;
- (2) The alien has not otherwise violated his or her nonimmigrant status;
- (3) The alien remains a bona fide nonimmigrant; and
- (4) The alien is not the subject of removal proceedings under 8 CFR part 240

If your application was filed after your status had expired, submit a written statement explaining why the application was not filed until after your authorized stay had expired and submit evidence to substantiate your claim that the delay was due to extraordinary circumstances beyond your control.

3. Immigration Status - I20

USCIS has received your SEVIS Certificate of Eligibility for Nonimmigrant Student Status (Form I-20). The form, however, is lacking one or both of the required signatures. The Designated School Official must sign in section 10, School Certification, and the student must sign in section 11, Student Certification.

Submit another copy of your SEVIS Form I-20 and ensure that page 1 contains both of the required signatures.

When you log into your USCIS Electronic Immigration System (ELIS) account to submit this evidence, please select the "Immigration Status" evidence category and upload an "I20."

You must submit the requested evidence within 33 days from the date of this notice. If you do not respond, USCIS may deny your application. Please note the required deadline for providing a response to this Request for Evidence (RFE). The deadline reflects the maximum period for responding to this RFE. However, since many immigration benefits are time sensitive, you are encouraged to respond to this request as early as possible but no later than the date provided on the

request.

You need to submit all of the evidence at one time. Submission of only part of the evidence requested will be considered a request for a decision based upon the record. We are unable to grant additional time for submitting evidence.

All copies must be clear and legible. If you submit a document in a language other than English, it must be accompanied by a complete word-for-word English translation. The translator must specifically certify that the translation is complete and accurate, and that he or she is competent to translate from the foreign language into English. You must submit both the foreign language document and the English translation.

Please log into your account and follow the instructions for submitting the requested evidence.

For more information, please visit the USCIS Web site at www.uscis.gov, or contact customer service by calling 1-800-375-5283 or TDD: 1-800-767-1833.

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