

April 8, 2022

JUSTIN COFFEY  
CONSTANGY BROOKS SMITH AND PRO  
PO BOX 98869  
RALEIGH, NC 27624

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Texas Service Center  
6046 N Belt Line RD STE 172  
Irving, TX 75038-0015



U.S. Citizenship  
and Immigration  
Services

RE: PETER MARK HALPIN  
I-765, Application for Employment Authorization

Combination Employment Authorization  
and Advance Parole Request



SRC2190179013  
A219422842

### **DECISION**

Now that you have become a Permanent Resident of the United States we would like to welcome you and congratulate you. You should have received, or will soon receive, your approval notice followed by either your Permanent Resident Card, Form I-551, or instructions on when and where to go to have your biometrics (photograph, fingerprint and signature) taken so that we can produce your I-551.

Title 8 Code of Federal Regulations (8 CFR) § 103.2(b)(1) states, in pertinent part:

*Demonstrating eligibility.* An applicant or petitioner must establish that he or she is eligible for the requested benefit at the time of filing the benefit request and must continue to be eligible through adjudication.

8 CFR § 274a.12(c)(9) allows for granting employment authorization to:

An alien who has filed an application for adjustment of status to lawful permanent resident pursuant to Part 245 of this chapter ....while his or her properly filed Form I-485 application is pending final adjudication...

8 CFR 223.2(a) states in pertinent part:

*Application.* An applicant must submit an application for a reentry permit, refugee travel document, or advance parole on the form designated by USCIS with the fee prescribed in 8 CFR 103.7(b)(1) and in accordance with the form instructions.

Part 3a.(1) of the Form I-131 instructions state:

a. If you are in the United States and seek an Advance Parole Document, you may apply if:

(1) You have a pending application to adjust status, Form I-485, and you seek to travel abroad temporarily for "urgent humanitarian reasons" or in furtherance of a "significant public benefit," which may include a personal or family emergency or bona fide business reasons.

As a Permanent Resident, you can travel to a foreign country and freely reenter the United States. All that you will normally need is a Permanent Resident Card and a passport from your country of citizenship. You do not need an advance parole travel document to reenter the United States. Also, as a Permanent Resident, you may be employed in the United States at any legal work of your choosing. The Permanent Resident Card may be used to prove employment eligibility when you start new employment. You do not need an employment authorization document to prove employment eligibility in the United States. Consequently, the Application for Travel Document and the Application for Employment Authorization that you had filed no longer serve a purpose and, as such, have been denied.

There is no appeal from this decision. You may file a motion to reopen or reconsider. Your motion to reopen or reconsider must be filed on Form I-290B, Notice of Appeal or Motion, within 30 days of the date of this notice (33 days if this notice is received by mail). For the latest information on filing location, fee, and other requirements, please review the Form I-290B instructions provided at <http://www.uscis.gov/forms>, call our USCIS Contact Center at 1-800-375-5283, or visit your local USCIS office. If USCIS does not receive a properly filed motion, this decision will become final.

This decision does not prevent you from filing any petition or application in the future. Again, congratulations on your accomplishment of becoming a Permanent Resident of the United States.

Sincerely,



John M. Allen  
Director, Texas Service Center  
Officer: XM1865