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**UNITED STATES OF AMERICA**

RECEIPT NUMBER MSC-		CASE TYPE I601A PROVISIONAL UNLAWFUL PRESENCE WAIVER	
RECEIPT DATE April 1, 2013	PRIORITY DATE	APPLICANT A	
NOTICE DATE July 25, 2013	PAGE 1 of 2		
MITCHELL ZWAIK 5014 EXPRESS DRIVE SOUTH RONKONKOMA NY 11779		Notice Type: Approval Notice	

U.S. Citizenship and Immigration Services (USCIS) has approved your Application for Provisional Unlawful Presence Waiver, Form I-601A.

USCIS has notified the Department of State's National Visa Center (NVC) of the approval of your provisional unlawful presence waiver application. This completes all USCIS action on this application. If you have any questions about your immigrant visa processing, please contact the NVC directly. The NVC's e-mail address is [NVCINQUIRY@state.gov](mailto:NVCINQUIRY@state.gov) and their telephone number is (602) 334-0700.

The approval of your provisional unlawful presence waiver is subject to the conditions established in Title 8, Code of Federal Regulations (8 CFR), section 212.7(e)(12). Under this regulation, the approval will not take effect until each of these requirements is met:

You have left the United States; AND

You have appeared at a U.S. Embassy or Consulate for an interview in connection with your application for an immigrant visa based on an approved immediate relative visa petition; AND

A U.S. consular officer has determined, in light of the approval of your provisional unlawful presence waiver, that you are otherwise eligible for an immigrant visa based on an approved immediate relative visa petition.

**NOTE:** The approval of your provisional unlawful presence waiver only covers the grounds of inadmissibility for unlawful presence in the United States under section 212(a)(9)(B)(i)(I) and (II) of the Immigration and Nationality Act (INA).

A consular officer will determine whether you are subject to any other grounds of inadmissibility and whether you are eligible for an immigrant visa at the time of your visa interview at a U.S. Embassy or consulate. If a consular officer determines that you are inadmissible for any reason other than prior unlawful presence in the United States, this provisional unlawful presence waiver is automatically revoked. As a result, the consular officer may refuse the immigrant visa or you may need to submit to USCIS a separate waiver application (the Form I-601, Application for Waiver of Grounds of Inadmissibility), requesting a waiver for each ground of inadmissibility (if waivable under the current law) that may apply to you, including prior unlawful presence under INA section 212(a)(9)(B).

**Limitations of Approved Provisional Unlawful Presence Waivers**

Approval of your provisional unlawful presence waiver DOES NOT:

- Address any other grounds of inadmissibility besides unlawful presence; for example criminal grounds, fraud, or prior removals.
- Change the requirement that you must depart the United States to obtain an immigrant visa at a U.S. Embassy or consulate abroad.
- Give you any legal immigration status or allow you to obtain a legal status in the United States.
- Protect you from removal proceedings or stay the execution of a final order of removal.
- Allow you to work in the United States.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NATIONAL BENEFITS CENTER

USCIS, DHS

P.O. BOX #648004

LEE'S SUMMIT MO 64064

Customer Service Telephone: (800) 375-5283



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(continued)

- Guarantee that you will be issued an immigrant visa by the Department of State.
- Guarantee your admission to the United States by U.S. Customs and Border Protection (CBP).
- Authorize parole or advance parole to return to the United States without an immigrant visa.

NOTE: If you depart the United States and enter or attempt to reenter without being inspected and admitted, or paroled, your approved provisional unlawful presence waiver will become invalid.

\*\*\*NOTICE\*\*\*

I-601A Applicants in Removal Proceedings

If you are currently in removal proceedings but your proceedings are administratively closed and have not been recalendered by a Department of Justice, Executive Office for Immigration Review, Immigration Court, we recommend that you take steps immediately to have your removal proceedings formally dismissed by the Immigration Court before departing the United States for your immigrant visa interview. Applicants who leave the United States before their removal proceedings are dismissed may experience delays in their immigrant visa processing or risk becoming ineligible for the immigrant visa based on another ground of inadmissibility.

You and/or your legal representative should contact the relevant U.S. Immigration and Customs Enforcement (ICE) Office of the Chief Counsel to make arrangements to have your removal proceedings dismissed. A list of ICE Chief Counsel phone numbers is available on the internet at: <http://www.ice.gov/contact/opla/>. When you contact ICE, please have a copy of this approval notice available for ICE's review.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

NOTICE: Although this application/petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify the information submitted in this application, petition and/or supporting documentation to ensure conformity with applicable laws, rules, regulations, and other authorities. Methods used for verifying information may include, but are not limited to, the review of public information and records, contact by correspondence, the internet, or telephone, and site inspections of businesses and residences. Information obtained during the course of verification will be used to determine whether revocation, rescission, and/or removal proceedings are appropriate. Applicants, petitioners, and representatives of record will be provided an opportunity to address derogatory information before any formal proceeding is initiated.

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