

## Inaccurate Information could lead to Denial of Citizenship

Written by U.S Immigration News  
Friday, 06 May 2011 20:45 -

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**Q.**

Dear Editor:

I have been a subscriber to your newspaper since December 2007. I find the printed material quite informative and I congratulate you for the good work. I am submitting to you the following personal request for information and help. My wife who is a legal immigrant since 2001 lost her canceled passport which contained all pertinent information about her trips for several years. She will be applying for citizenship this year and she has no other source of accurate information for the exact dates of her trips abroad and dates of return. How can she prove her trips when filing the application form for Naturalization and also during the interview? I wonder if the attorney for the ASK THE LAWYER column has seen a case like this before and if he can advise us ASAP.

Cordially yours,  
HCZC, MD

**A.**

Thanks for your mail and kind comment about our newspaper. There is an important requirement for naturalization and that is the fact that anyone who aspires to become a U.S. citizen must be a person of good moral character. An applicant could be adjudged to lack good moral character on many grounds. For example, anyone who owes IRS and has no payment plan is a person lacking in good moral character. It is not only criminals that are denied citizenship. You have taken the first and most important step of asking this question before filing. Your wife would need to do the following: she needs to remember as much as she can

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with regards to her trips abroad in the last five years. Secondly, she should include in her application, a copy of the police report saying she lost her passport and a sworn statement that she could not recollect accurately exact dates of her trips abroad. It is important that she does not claim to have lost her passport in order to hide something because the USCIS has a documentation of all her trips in her green card record. Whatever information she supplies will be compared with the USCIS record. I will recommend that your wife engage an attorney to do this filing and attend the interview with her.

## **You will not be Deported if your Marriage is Genuine**

**Q.**

Hi;

I am DP, I admire your newspaper 'US Immigration news' and I found it interesting and educative. I have an issue and I will appreciate any advice you might have for me. I have a conditional green card and my wife divorced me recently and moved in with her new boyfriend. I did whatever I could to make the marriage work but she left me anyway and went ahead to file a divorce which was granted. She also told me she had reported to immigration that she is no longer married to me. This is giving me sleepless nights especially when I read your article titled "From Permanent Residency to Deportation". I wonder if her action would jeopardize my status but my immigration attorney told me the divorce and the report made to immigration would not hurt me and that I can still remove the condition but I am not convinced that this will not hurt me.

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**A.**

Mr. DP, your case is similar to that of many immigrants in the United States. Sleepless nights will not solve the problem. The article in USI News was written in order to generate questions that will help people not to cause you sleeplessness. Now, that we got you asking, let me tell you what to do. Your attorney is right provided you could show that your marriage was entered into for love and not solely to obtain immigration benefits. There are various ways to remove the condition on your green card even when your spouse refuses to cooperate or when you have actually divorced your spouse. In your case you will need to gather all joint documents, pictures, bank statements, utility bills, etc issued during the life of the marriage. With all these documents, your attorney will determine whether or not you qualify for waiver on the ground of good faith marriage. You could also apply for waiver on ground of abuse or hardship. The easiest one is the good faith marriage waiver. Consult with a lawyer before you file your application.

### **Go Ahead and Marry**

**Q.**

Mr. Famuyide,

I am so appreciative of the way you take the initiative to deal with our immigration questions and provide much needed answers. Thank you. I migrated to the United States two years ago, leaving behind a very loving fiancé (whom I was told not to marry before migrating, or it would

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mess up the immigration proceedings). Now I plan to go back and get married, the aches and pains of being apart for such a long time is becoming unbearable. How soon can I file immigration papers for him, so that we can be together?

How long will it take for him to be a permanent resident? Thanks for your response.

**A.**

Thanks for your mail. You really need to go ahead and marry your fiancé. It is better to marry than to burn. I can tell you really miss him. Before you travel abroad, kindly consult with an attorney and get the necessary forms for your proposed spouse to sign as soon as you are married. Once you return to the U.S., you can file form I-130 for your spouse. If you remain a permanent resident alien, it will take about 5years before your spouse obtains his green card to migrate to the U.S., but since you have been in the U.S. for 2years, you could apply to become a U.S. citizen 3years from now. If you become a citizen, you will upgrade the filing. From the time of the upgrade, your spouse should be in the U.S. about 6 months later. It means you could be together fully in about three and half years from now.

**Apologize and Stop the Blame Game; You Created the Mess**

**Q.**

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Dear Mr. Famuyide,

May the Almighty God reward your selfless services to the immigrant community, Amen. You know, you could have been making fortunes from consultation fees for your invaluable counsel to the community, but you chose otherwise. At last there's a Christian 'Naija man' out there who really is his 'brothers' keeper. Now my question: I came to the US in June 2002 as a visitor on a 2-yr multiple visa. I filed for change of status in June 2003, after my marriage. Unfortunately, my wife refused to attend the interview which led to the denial of my petition in July 2005. On the advice of my attorney, I divorced her, remarried and filed a fresh petition in Nov. 2005. On April 18, 2006, my wife and I were interviewed. The interview was successful but the officer could not give a verdict because according to her, she did not know what information was in my old file. My lawyer even assured me that my becoming a permanent resident was a matter of weeks. Now, years after the interview, I still have not heard from the USCIS and my work permit has been renewed couple of times. I have made several enquiries but have always received same answer: "There were reasons to carry out an extensive investigation" on my case, but the reasons have never been disclosed to me. My Nigerian lawyer has not been much of a help either. He is lacking in professional judgment and competence, he now results to lying to cover up his lapses. What could USCIS be investigating for these years? Is it advisable to enlist the services of a 'good', white immigration lawyer to follow up on my case as I am contemplating? Your kind response will be highly appreciated. God bless you

Atlanta, Georgia.

**A.**

Many thanks for your kind words and prayer. I really need them all. I was impressed by your comments until you turned the gun on your lawyer, the black race and Nigerian professionals. I do admit that we have lawyers, just like we have among other Nationals, who are not doing the right thing, but blaming your lawyer in this case is like going over the top. I read your mail and found no fault in the lawyer; you really need to apologize to this lawyer. I assume that you are a

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professional, if you claim that a particular lawyer is ineffectual because he is a Nigerian. It simply means that you are incompetent in whatever you do. Think about that. You could have made your point without adding "Nigerian" or "White" to your question. It is highly offensive to the black race and to Nigerian professionals at large to insinuate that "whites" are more competent. I will not answer your question until you apologize to your lawyer and all Nigerian professionals. I challenge you to be courageous enough to send us your apology.