

Employment-based green card revoked because of fake job

Written by IMMIGRATION CORNER by MICHAEL J. GURFINKEL, ESQ.
Monday, 28 September 2015 10:05



A couple came to my office for a consultation who was in tears and panic because their “American Dream” was crumbling around them.

They are already permanent residents (green card holders), but just received a notice that the USCIS was intending to revoke their green cards!

The reason?

They had a fraudulent employment petition, based on a fake job.

According to this couple, upon arriving in the U.S., they went to an immigration consultant (rather than an attorney) for advice, assistance, and representation.

The consultant told them he had several staffing agencies and promised them that, for a hefty

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fee, one of his staffing agencies could petition them for an employment-based green card.

What's more, they did not even have to work for the petitioner!

Although those promises were too good to be true, the couple quickly took the bait, and put down their hard-earned money.

After all, what a deal!

While other people had to "play by the rules" (by having a "real" employer petition them), this couple was elated they had found a shortcut or quick-fix to their immigration situation.

And, when their green cards were later granted, they convinced themselves that they had "gotten away with it."

Now, their green cards were being revoked/rescinded, and they will likely be placed in deportation/removal proceedings.

According to the USCIS's notice, the consultant's offices were raided, and he confessed to his fraudulent employment schemes: that although his corporations had petitioned hundreds of people, there really were never any "real" jobs.

His records (including the names and addresses of his "clients") were also seized and reviewed in detail by the government.

The USCIS apparently has been tracking all those "employees" petitioned by this consultant's shell (or bogus) corporations.

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And that was how this couple got caught!

Sometimes, people are “caught” with “fake job” green cards when they apply for citizenship, and they are questioned at their naturalization interview on whether they ever worked for that employer, and are told to provide verifiable pay stubs and tax returns to prove it.

Fortunately for this couple, there are other forms of relief (or defenses) available to them, if and when removal/deportation defense is required.

If you obtained a green card through a fake job, you may already want to consider seeking the advice and guidance of a reputable attorney, to see if there is a way to repair the damage, or to already consider your options and defenses if you should ever receive the same type of notice from the USCIS, that your green card is being revoked.

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He has always excelled in school: Valedictorian in High School; Cum Laude at UCLA; and Law Degree Honors and academic scholar at Loyola Law School, which is one of the

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top law schools in California. □

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