

## Leave of absence - I-485 pending

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Submitted by Chief Editor on Jul 21st 2009

a). I am an associate professor at XXX State University. Beginning August, 2009 (in two weeks time), I am planning on going for a one-year unpaid professional leave of absence. During the leave I will be in India. However I would technically still be employed by my University. Meanwhile, I have an approved I-140 (EB-2) - I-485 pending. b). What happens if I get my green card while I am on leave (I am going to India)? Can I still receive it legally? If I can legally accept the green card, can I change my address on the USCIS web site and give my relative's address? We currently live in California and our case is handled by Nebraska Center. Given this scenario, should we give the address of our relatives in California, or is it O.K. to give the address of our relative who lives in New Jersey? c). At the time I filled the I-485 for myself and my wife, my wife was pregnant and could not get one of the immunizations (I think it was MMR). Now I am afraid that when we are out of the country we might get a medical RFE for my wife. Is it possible for us to get the immunizations done by a USCIS authorized doctor, and send the report to the USCIS in anticipation of the RFE? If yes, then which form should be fill/take to the doctor?

#### **ANSWER:**

a). The first issue would be whether or not you still have a "permanent job" that would qualify you for a green card. In situations of long vacation, questions could be raised whether or not the green card job is indeed permanent; if so, who will do it in your absence; what is the reason for your leave; are you terminating your relationship with your employer, etc. If you have good answers to all these questions, you are fine.

b). Getting a green card approval while you are abroad is not a large issue as long as you have advance parole. Giving a relative's address is a bad idea. In the absence of a US address, you do run the risk of the green cards being returned back to USCIS, but we can figure that out.

c). USCIS may not accept medicals from anyone except a USCIS approved physician. But we can double check options on this issue also.

**Unless the context shows otherwise, all answers here were provided by Rajiv <sup>[2]</sup> and were compiled and reported by our editorial team from comments and blog on immigration.com <sup>[3]</sup>**

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