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Premium Processing Availability for Second I-140 Filing

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Submitted by Guest on Oct 16th 2012

When a second I-140 is filed, is Premium Processing available?

ANSWER:

When a subsequent I-140 is filed by a successor-in-interest, USCIS can accept the Premium Processing request only if it has access to the original ETA 9089 PERM Approval. If the USCIS cannot get access to the original, the Premium Processing will be rejected.

To upgrade an I-140 filing that is in regular processing, the applicant must submit the I-907, the appropriate filing fee, and a copy of the I-140 Receipt Notice to the USCIS Service Center that has the I-140 petition pending. If there is an attorney representative on the I-140, a G-28 must also be submitted.

Unless the context shows otherwise, all answers here were provided by [Rajiv](#) ^[2] and were compiled and reported by our editorial team from comments and blog on immigration.com ^[3]

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