

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

Argued September 4, 2025

Decided March 12, 2026

Before

MICHAEL B. BRENNAN, *Chief Judge*

JOSHUA P. KOLAR, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 23-1201

GURMEET SINGH,
Petitioner,

Petition for Review of an Order of the
Board of Immigration Appeals.

v.

No. A205-776-037

PAMELA J. BONDI, Attorney General
of the United States,
Respondent.

ORDER

Gurmeet Singh, a citizen of India, was admitted to the United States in 2011 on an R-1 Temporary Nonimmigrant Religious Worker visa. Singh is a Sikh priest who was authorized to work for the Sikh Society of Wisconsin, a temple in Madison, Wisconsin. Because of delays with the issuance of the visa, when he arrived in Wisconsin, the temple no longer needed Singh's help and sent him to work for temples in California and Indiana. Those other temples provided Singh with food and shelter and oversaw his day-to-day activities, while the Wisconsin temple paid his salary and maintained control over his visa.

Singh eventually applied for, and was denied, adjustment of status to lawful permanent resident. An immigration judge denied relief, and the Board of Immigration Appeals affirmed, finding that Singh had engaged in more than 180 days of unauthorized employment by working at the California and Indiana temples. Bound by a deferential standard of review, and seeing no reversible error, we deny Singh's petition.

I

The Wisconsin temple petitioned for Singh's R-1 visa, which was approved in 2008. Three years later, Singh was admitted to the United States on this visa on June 29, 2011, with authorization to remain until June 28, 2014. Given the delay in Singh's arrival, the Wisconsin temple had already arranged for someone else to fill the role, so it sent Singh to other temples that needed priests. First, from June 2011 until July 2011, Singh worked at a temple in Bakersfield, California. Next, from August 2011 until September 2011, Singh worked at a temple in Canoga Park, California. Finally, starting in October 2011, Singh worked at a temple in Greenwood, Indiana.

In March 2012, the Indiana temple, wanting Singh to serve permanently as its priest, filed a new R-1 petition on his behalf. This visa was approved two months later, valid until September 2013. A subsequent petition filed by the Indiana temple was also approved, valid from September 2013 through April 2014. In June 2013, the Indiana temple also petitioned for a Special Immigrant Visa for Singh. This visa was approved in March 2014.

Based on his newly-approved Special Immigrant Visa, Singh applied in April 2014 to adjust his status to lawful permanent resident. This application was denied six months later based on a determination that he had engaged in "unauthorized employment" for more than 180 days by working in California and Indiana—instead of Wisconsin—from June 2011 until May 2012 (when the new R-1 visa for the Indiana temple was approved).

On December 1, 2015, United States Citizenship and Immigration Services issued a notice to appear, charging Singh with removability under 8 U.S.C. § 1227(a)(1)(C)(i), based on his failure to "comply with the conditions . . . under which [he was] admitted," as evidenced by his unauthorized work. Singh denied the charge and the allegation that he had engaged in unauthorized employment. Twenty months after the case was filed in the immigration court, the Department of Homeland Security (DHS)

issued a new charging document, replacing the December 1 version. This time, Singh was charged as removable under 8 U.S.C. § 1227(a)(1)(B), based on his remaining in the United States longer than permitted. This charging document also alleged that Singh had engaged in unauthorized employment. Singh conceded that he was removable for overstaying but once again denied the allegation that he had performed unauthorized work. Meanwhile, in a bid to avoid removal, Singh also renewed his application for adjustment of status.

Singh testified before an immigration judge (IJ) in September 2018. He explained that he went to California and Indiana at the direction of the Wisconsin temple, that the Wisconsin temple paid his salary (\$400 a month), and that no other temple gave him money but did provide him with lodging and food. According to Singh, the temples routinely provide free food to anyone who attends the prayers and, sometimes, a place to rest for people in need. Singh also explained, though, that he received a special room because of his status as the head priest.

Singh detailed that each temple had its own committee that determined his day-to-day activities. But he noted that the Wisconsin temple maintained control at a higher level: It could field complaints about his work, increase his salary, cancel his visa, and send him to other locations (Singh said he was not free to refuse an assigned location). In filings before the Board, Singh later clarified that each temple had the ability to dismiss him if his work “fell below acceptable standards or [was] no longer needed.” Additionally, the temples had different Employer ID numbers and were only “informally connected in a religious sense.”

The IJ denied Singh’s renewed application for adjustment of status, finding that he was ineligible because of his unauthorized work in California and Indiana. The IJ relied on Board precedent to conclude that Singh could be considered employed even where his compensation “[took] the form of material support, including room and board, rather than a monetary wage.” Additionally, the IJ concluded that there was no evidence of a connection between the Wisconsin temple and the out-of-state temples such that they could be considered part of the same petitioning organization.

The Board affirmed and dismissed the appeal. It was “unpersuaded” by Singh’s attempts to distinguish the cases cited by the IJ. It also evaluated Singh’s concessions about who controlled his day-to-day activities and how the temples were (or, more accurately, were not) connected. Singh now petitions for our review.

II

To start, we address jurisdiction. The government argues that we lack jurisdiction over Singh’s petition because he is challenging only factual findings. We disagree. Our jurisdiction to review Singh’s petition is governed by 8 U.S.C. § 1252. Section § 1252(a)(2)(B)(i) strips our review of “any judgment regarding the granting of relief” under § 1255, which governs adjustment of status—the relief at issue here. But § 1252(a)(2)(D) preserves judicial review of “constitutional claims or questions of law.” Singh is not bringing a constitutional claim, so our ability to review this petition turns on whether he is raising a “question of law.”

The Supreme Court has held that a question of law includes “the application of a legal standard to undisputed or established facts.” *Guerrero-Lasprilla v. Barr*, 589 U.S. 221, 225 (2020); *see also Wilkinson v. Garland*, 601 U.S. 209 (2024) (applying *Guerrero-Lasprilla* to § 1252(a)(2)(B)(i)). This is true even if the question is “primarily factual.” *Wilkinson*, 601 U.S. at 222, 225 (explaining that the degree to which a court must “immerse itself in facts” affects the standard of review, not jurisdiction). Underlying factual findings, of course, “remain unreviewable.” *Id.* at 225. But our review is preserved when the question is whether a set of “established facts” meets a legal or statutory standard—a so-called mixed question of law and fact. *Id.*

We are mindful that the distinction between questions of fact and mixed questions is not always clear. *See Pullman-Standard v. Swint*, 456 U.S. 273, 288 (1982) (describing “the vexing nature of the distinction between questions of fact and questions of law”). But a few principles and examples help guide us here.

Factual findings encompass the “‘basic’ or ‘historical’ fact[s]” that answer “who did what, when or where, how or why.” *U.S. Bank N.A. v. Vill. at Lakeridge, LLC*, 583 U.S. 387, 394 (2018) (quoting *Thompson v. Keohane*, 516 U.S. 99, 111 (1995)); *see also Fact, Black’s Law Dictionary* (12th ed. 2024) (defining “fact” as “[s]omething that actually exists,” separate from the “legal effect, consequence, or interpretation” of an event or circumstance). Examples include findings on intent, *see Patel v. Garland*, 596 U.S. 328, 344–45 (2022); timing, *see Gulomjonov v. Bondi*, 131 F.4th 601, 610–11 (7th Cir. 2025); and “credibility, the seriousness of a family member’s medical condition, or the level of financial support a noncitizen currently provides,” *Wilkinson*, 601 U.S. at 225.

Mixed questions arise when the “historical facts are admitted or established . . . and the issue is whether the facts satisfy the statutory standard.”

Pullman-Standard, 456 U.S. at 289 n.19. Examples include decisions that underlying facts do not amount to “hardship,” *Wilkinson*, 601 U.S. at 212; that underlying facts do not demonstrate “due diligence” in attempting to reopen removal proceedings for purposes of equitable tolling, *Guerrero-Lasprilla*, 589 U.S. at 227; and that underlying facts do not satisfy the “good-moral-character” standard, *Cruz-Velasco v. Garland*, 58 F.4th 900, 903 (7th Cir. 2023).

The issue before us fits with these latter examples as a mixed question of law and fact. Section 1255(k)(2) bars adjustment for applicants (who otherwise qualify) who have engaged in more than 180 days of “unauthorized employment” prior to applying for adjustment.¹ The statute provides no definition of “employment,” but DHS regulations define “employee” as one who “provides services . . . for wages or other remuneration[.]” 8 C.F.R. § 274a.1(f). And the parties seem to agree that “employment” requires remuneration for services.

Singh’s arguments are rather cursory, but we understand him to primarily contend that the IJ erred in concluding that the room and board he received from the California and Indiana temples met this definition of employment. And though he seems to concede that “remuneration” is broad enough to cover non-monetary compensation, he maintains that his food and lodging did not constitute “remuneration for services” because they were also available in some capacity to members of the public.²

So we have a legal standard: “employment,” defined as “remuneration for services.” We have a set of historical facts: Singh performed services at temples outside of Wisconsin and received food and lodging from these temples. And the question is whether those facts constituted “remuneration for services” such that Singh was

¹ Singh focuses solely on the definition of “employment,” so we need not discuss the definition of “unauthorized.”

² We also take Singh to be arguing that it was the Wisconsin temple that ultimately controlled his work, but we do not entertain this argument. Singh does not explain why this would matter for the purpose of evaluating whether he received remuneration for his services from the other temples. It seems to us that the proper question would be whether the California and Indiana temples were part of the same entity as the Wisconsin temple. See 8 C.F.R. § 274.a1(g) (defining “employer”). And on that question, Singh raises no argument at all.

employed and thus statutorily ineligible for adjustment of status. This mixed question, we can review. *See Wilkinson*, 601 U.S. at 225.

We can make quick work of the merits, though, which we review deferentially. *See id.* (noting that review is deferential for mixed questions that are “primarily factual,” as is the case here); *Arreola-Ochoa v. Garland*, 34 F.4th 603, 610 (7th Cir. 2022) (same). The evidence amply supports the conclusion that the room and board Singh received was remuneration for the duties he performed as a priest. The parties appear to agree that “remuneration” is not limited to monetary earnings. So it was entirely reasonable for the agency to conclude that Singh’s room and board fit the bill. *See Matter of Hall*, 18 I. & N. Dec. 203, 206 (BIA 1982) (finding it “immaterial” that the petitioner “receive[d] no fixed salary or remuneration” for the work for which he was hired). And it was equally reasonable to conclude that Singh received the food and lodging in exchange for his services—just because some of these benefits might have been available to others does not mean that Singh was not receiving them because of the services he was providing. Indeed, Singh’s testimony suggests that the particular rooms he was provided were not available to the general public and were designated for the head priest.

With nothing in this record that would suggest agency error, we DENY Singh’s petition for review.