

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

A3



FILE:



Office: WASHINGTON, DC

Date: **MAR 26 2008**

IN RE:

Applicant:



PETITION:

Application for Status as Permanent Resident Pursuant to Section 13 of the Act of September 11, 1957

ON BEHALF OF APPLICANT:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The District Director, Washington, D.C. denied the application and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as the underlying application is moot.

The applicant is a native and citizen of The Philippines who is seeking to adjust his status to that of a lawful permanent resident under section 13 of the Immigration and Nationality Act (the Act) of 1957, Pub. L. No. 85-316, 71 Stat. 642, as modified, 95 Stat. 1611, as an alien who performed diplomatic or semi-diplomatic duties under section 101(a)(15)(A)(i) of the Act. The district director denied the application for adjustment of status after determining that the applicant had failed to establish that his duties at the Philippines Consulate General in Seattle, Washington were diplomatic or semi-diplomatic in nature.

A review of relevant Citizenship and Immigration Services (CIS) records indicates that, subsequent to the filing of the instant application, the applicant submitted a second adjustment of status application in conjunction with a Form I-130, Petition for Alien Relative, filed by his U.S. citizen son. On August 23, 2002, the applicant acquired lawful permanent resident status based on the approval of this second application. Because the applicant has already been granted the benefit sought by the instant application, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed as the underlying application is moot, based on CIS' August 23, 2002 approval of the applicant's family-based application for lawful permanent residence.