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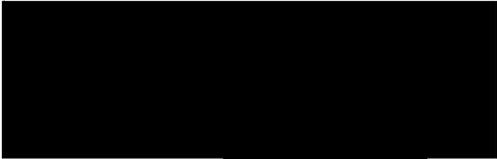
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
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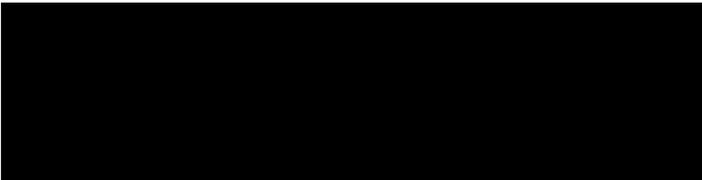
Office: VERMONT SERVICE CENTER

Date: JUL 31 2008

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

PETITION: Immigrant Petition for Alien Worker as an Alien of Extraordinary Ability Pursuant to
Section 203(b)(1)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(A)

ON BEHALF OF PETITIONER:



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 Director, Vermont Service Center, denied the employment-based immigrant visa petition. The Administrative Appeals Office (AAO) dismissed a subsequent appeal. The matter will now be reopened and the petition will be approved pursuant to court order.

The petitioner seeks classification as an “alien of extraordinary ability” pursuant to section 203(b)(1)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A). The director denied the petition. The AAO dismissed the appeal, upholding the director’s finding.

The petitioner challenged the denial of the petition in the United States District Court for the Eastern District of Pennsylvania. On July 16, 2008, the court granted the petitioner’s motion for partial summary judgment and ordered U.S. Citizenship and Immigration Services to approve the petitioner’s Form I-140 petition. *Gülen v. Chertoff, et al.*, No. 07-2148 (E.D. Pa. July 16, 2008). Thus, the petition is approved pursuant to the court order.

ORDER: The AAO’s decision of March 7, 2008 is withdrawn; the petition is approved.