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B6

FILE:



Office: TEXAS SERVICE CENTER

Date:

APR 08 2004

IN RE:

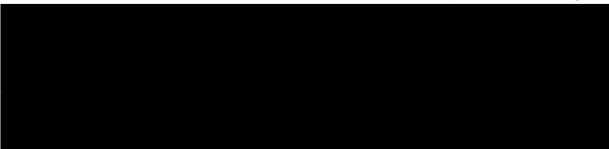
Petitioner:

Beneficiary:



PETITION: Immigrant Petition for Alien Worker as a Skilled Worker or Professional Pursuant to Section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

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, Director  
Administrative Appeals Office

**DISCUSSION:** The employment based immigrant visa petition was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The petitioner seeks the beneficiary's classification as an employment based immigrant pursuant to section 203(b)(3) of the Immigration and Nationality Act, (the Act), 8 U.S.C. § 1153(b)(3) as a skilled worker. The petitioner is an auto body repair firm. It seeks to employ the beneficiary as an auto body repair supervisor. As required by statute, the petition is accompanied by an individual labor certification approved by the Department of Labor. The director determined that the petitioner failed to establish that it is an "employer" within the meaning of section 203(b)(3) of the Act.

Review of CIS records indicates that, subsequent to the filing of the instant petition, the alien obtained immigrant status as a lawful permanent resident on November 18, 2002. Because the alien has obtained lawful permanent resident status, further pursuit of the matter at hand is moot.

**ORDER:** The appeal is dismissed, based on the alien's lawful permanent resident status.