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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

B6

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FILE:



Office: TEXAS SERVICE CENTER

Date:

OCT 11 2007

SRC-00-179-50658

IN RE:

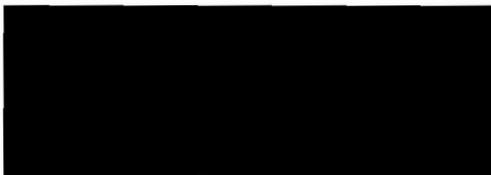
Petitioner:



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, Chief
Administrative Appeals Office

DISCUSSION: The preference visa petition was denied by the Director, Texas Service Center and was certified to the Administrative Appeals Office (AAO) for review. The certification will be withdrawn as the matter is now moot.

The petitioner is a healthcare service providing short and long term care for geriatric patients. It seeks to employ the beneficiary permanently in the United States as a registered nurse. The petitioner asserts that the beneficiary qualifies for blanket labor certification pursuant to 20 C.F.R. § 656.10, Schedule A, Group I. As required by statute, a Form ETA 750, Application for Alien Employment Certification accompanied the petition. The director determined that the petitioner had not established that it offered a salary to the beneficiary that was equal to or greater than the prevailing wage and denied the petition accordingly.

Review of Citizenship and Immigration Services (CIS) records indicates that, subsequent to denial of the instant petition on January 8, 2001, the petitioner filed another immigrant petition (SRC-01-134-51426) on behalf of the instant beneficiary on March 23, 2001 and the new petition was approved on December 4, 2001. The beneficiary was subsequently admitted as a lawful permanent resident on January 12, 2004. Because the beneficiary has been admitted as a lawful permanent resident, further pursuit of the matter at hand is moot.

ORDER: The certification is withdrawn as the matter is now moot.