

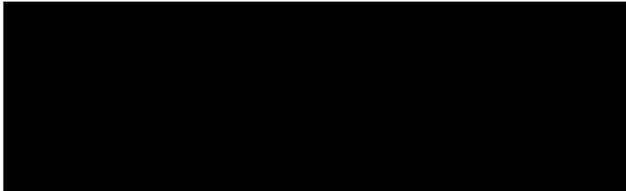
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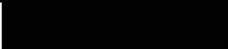
U.S. Citizenship
and Immigration
Services

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FILE:



Office: TEXAS SERVICE CENTER Date:

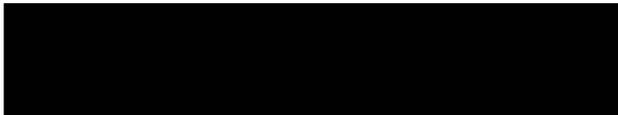
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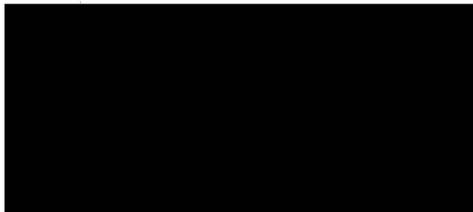
Petitioner:

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 preference visa petition was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner is a nursing registry. It seeks to employ the beneficiary permanently in the United States as a registered nurse. The director determined that the evidence presented does not demonstrate that the notice of filing the Application for Alien Certification was provided to the bargaining representative or the employer's employees as prescribed in 20 C.F.R. §§ 656.10(d) and 656.15(b)(2).

Review of CIS records indicates that, subsequent to filing the instant petition, the petitioner filed another Form I-140 petition under the same classification, with receipt number [REDACTED]. CIS records further indicate that the second petition was approved on August 2, 2006. The alien also filed a Form I-485 Application to Adjust Status, receipt number [REDACTED] which was approved on August 18, 2006. Because the alien has adjusted to lawful permanent resident status, further pursuit of the matter at hand is moot.

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