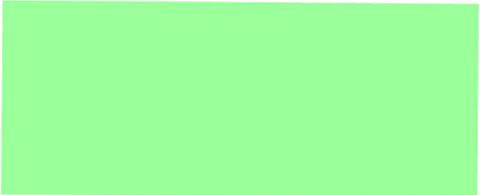


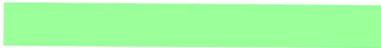


U.S. Citizenship
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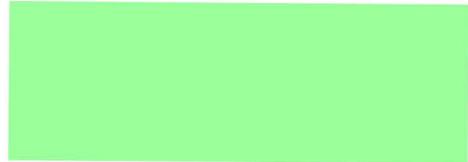


Date: Office: VERMONT SERVICE CENTER FILE: 
DEC 01 2014

IN RE: APPLICANT: 

APPLICATION: Application to Adjust Status (Form I-485) for an Alien in U Nonimmigrant Status
Pursuant to Section 245(m) of the Immigration and Nationality Act, 8 U.S.C. § 1255(m)

ON BEHALF OF APPLICANT:

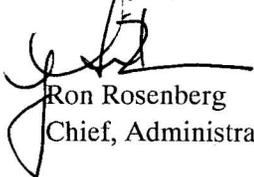


INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions.

Thank you,



Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director of the Vermont Service Center (the director) denied the Application to Register Permanent Residence or Adjust Status (Form I-485) and the matter is now before the Administrative Appeals Office (AAO) on appeal. The director's decision will be withdrawn and the matter remanded for entry of a new decision.

The applicant was granted U-3 nonimmigrant status based upon an approved Form I-918 Supplement A filed by her mother, a U-1 nonimmigrant. The applicant filed the instant Form I-485 pursuant to section 245(m) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1255(m), which provides for the adjustment of status of U nonimmigrants. Based upon the revocation of the applicant's mother's approved Form I-918 U petition, the director revoked approval of the applicant's Form I-918 Supplement A on February 26, 2013 and on the same day denied the instant Form I-485 because the applicant no longer held U-3 nonimmigrant status. The applicant timely appealed the revocation of her approved Form I-918 Supplement A and this instant application.

In a separate proceeding, we found the applicant's mother statutorily eligible for U-1 nonimmigrant classification and withdrew the director's contrary conclusion, but remanded the matter for the director to reconsider the revocation of the applicant's mother's approved waiver application (Form I-192) and enter a new decision into the record on the Form I-918 U petition.¹ Accordingly, the director's decision to deny the instant Form I-485 must be withdrawn and the matter remanded for entry of a new decision once a new decision on the applicant's Form I-918 Supplement A petition is made.

ORDER: The director's decision, dated February 26, 2013, is withdrawn and the matter remanded for entry of a new decision, which if adverse to the applicant shall be certified to the AAO for review.

¹ The director's decision to revoke approval of the applicant's mother's Form I-918 U petition also revoked approval of the applicant's Form I-918 Supplement A. See 8 C.F.R. § 214.14(h)(4). Revocation of the applicant's mother's approved Form I-918 U petition remains pending until the director makes a new decision on the applicant's mother's Form I-192.