



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

In Re: 23271189

Date: NOV. 14, 2022

Appeal of Nebraska Service Center Decision

Form I-140, Immigrant Petition for Alien Worker (Extraordinary Ability)

The Petitioner, a researcher in the field of neurobiology, seeks classification as an individual of extraordinary ability. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). This first preference classification makes immigrant visas available to those who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation.

The Director of the Nebraska Service Center denied the petition, concluding that the record did not establish that the Petitioner had satisfied at least three of ten initial evidentiary criteria, as required. The matter is now before us on appeal.

The Petitioner has filed two appeals of the Director's decision. We sustained the other appeal, which has rendered this one moot, and it will be dismissed on that basis.¹

ORDER: The appeal is dismissed.

¹ The Petitioner filed two separate appeals of the Director's decision, and we are adjudicating both today. Sustaining the other appeal [redacted] has rendered this appeal [redacted] moot, and it will be dismissed on that basis. However, because the other appeal [redacted] is being sustained, the end result for the Petitioner will be approval of the underlying I-140 petition.