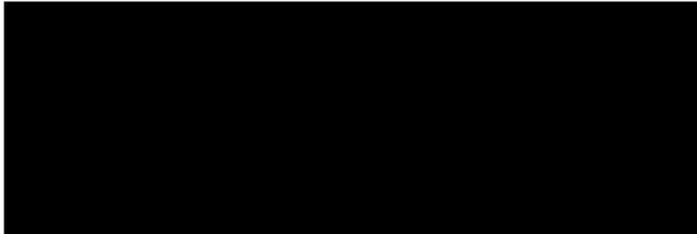


U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



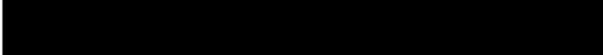
U.S. Citizenship
and Immigration
Services



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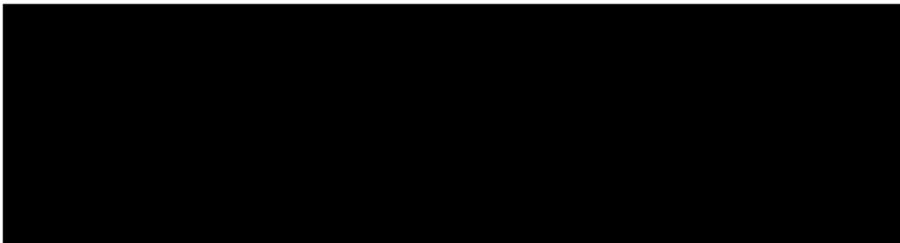
Date: **DEC 27 2012** Office: TEXAS SERVICE CENTER

FILE: 

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:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Ron Rosenberg
Acting Chief, Administrative Appeals Office

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

The petitioner was an English school. It sought to employ the beneficiary permanently in the United States as a teacher of English as a Second Language. The petitioner sought to classify the beneficiary as an alien worker pursuant to section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3), as a skilled worker or professional. The director determined that the beneficiary did not possess the necessary education and experience required by the labor certification. The director further determined that the petitioner had not established that it possesses the continuing ability to pay the beneficiary the proffered wage since the priority date. Therefore, the director denied the petition accordingly.

A review of U.S. Citizenship and Immigration Services records indicates that the alien's Form I-485, Application to Register Permanent Residence or Adjust Status, was approved on January 18, 2012. Pursuant to section 209(b) of the Act, the alien is considered to have adjusted to lawful permanent residence on January 18, 2012. Because the alien has adjusted to lawful permanent resident status, the instant petition is moot.

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