



U.S. Citizenship
and Immigration
Services

(b)(6)



Date:

JUN 30 2015

FILE #:

PETITION RECEIPT #:

IN RE:

Petitioner:

PETITION:

Petition for Immigrant Abused Spouse Pursuant to Section 204(a)(1)(A)(iii) of the Immigration and Nationality Act, 8 U.S.C. § 1154(a)(1)(A)(iii)

ON BEHALF OF PETITIONER:

Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case.

If you believe we incorrectly decided your case, you may file a motion requesting us to reconsider our decision and/or reopen the proceeding. The requirements for motions are located at 8 C.F.R. § 103.5. Motions must be filed on a Notice of Appeal or Motion (Form I-290B) **within 33 days of the date of this decision**. The Form I-290B web page (www.uscis.gov/i-290b) contains the latest information on fee, filing location, and other requirements. **Please do not mail any motions directly to the AAO.**

Thank you,

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Acting Director, Vermont Service Center (the director), denied the petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The petitioner seeks immigrant classification pursuant to section 204(a)(1)(A)(iii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1154(a)(1)(A)(iii), as an alien battered or subjected to extreme cruelty by her U.S. citizen spouse.

The director denied the Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, based on a finding that the evidence did not establish that the petitioner had married her U.S. citizen spouse in good faith. On appeal, the petitioner submits a brief and additional evidence.

Our review of the record indicates that the Immigration Court in Seattle, Washington granted the petitioner's application for cancellation of removal under section 240A(b)(1) of the Act on March 18, 2015. Section 240A(b)(1) of the Act provides that an Immigration Judge may "cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence," an alien who demonstrates eligibility for cancellation of removal. Therefore, pursuant to the grant of her application under section 240A(b)(1) of the Act, the petitioner is a lawful permanent resident of the United States and further pursuit of this petition is moot.

ORDER: The appeal is dismissed as moot.