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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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FILE:

WAC 08 205 50572

Office: CALIFORNIA SERVICE CENTER

Date:

JAN 21 2010

IN RE:

Petitioner:

Beneficiary:

PETITION: Nonimmigrant Petition for Religious Worker Pursuant to Section 101(a)(15)(R)(1) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).


Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The Director, California Service Center, denied the employment-based nonimmigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The AAO will dismiss the appeal as moot.

The petitioner is a regional conference of the Seventh-day Adventist denomination. It seeks to extend the beneficiary's status as a nonimmigrant religious worker under section 101(a)(15)(R)(1) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1), to perform services as a music teacher at Metropolitan Adventist Academy. The director determined that the petitioner had not established that the beneficiary's position qualifies as a religious occupation.

The petitioner filed the present nonimmigrant petition on July 18, 2008. U.S. Citizenship and Immigration Services (USCIS) records show that the petitioner also filed Form I-360 on the beneficiary's behalf on July 18, 2008, with receipt number WAC 08 205 51403. That second petition sought to classify the beneficiary as a special immigrant religious worker under section 203(b)(4) of the Act. USCIS records further show that the director approved the immigrant petition on April 14, 2009.

Based on the approved immigrant petition, on June 29, 2009, the beneficiary filed a Form I-485 adjustment application, with receipt number SRC 09 205 51739. The director approved the adjustment application on October 23, 2009, at which time the beneficiary became a lawful permanent resident of the United States.

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 lawful permanent resident status.