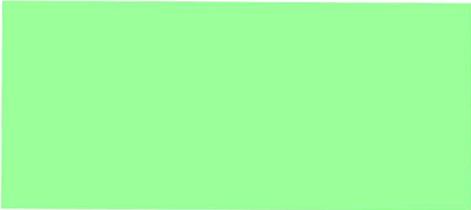


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U.S. Citizenship
and Immigration
Services



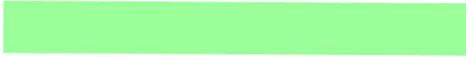
Date: Office: VERMONT SERVICE CENTER

FILE:



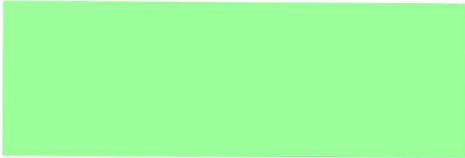
DEC 01 2014

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,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

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 The director's decision will be withdrawn and the matter remanded for entry of a new decision.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-1 nonimmigrant status and 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. Subsequent to the applicant's filing of the Form I-485, the director revoked approval of the petitioner's Form I-918 U petition upon which her U nonimmigrant status was based. The director denied the instant Form I-485 because the applicant no longer held U-1 nonimmigrant status. The applicant timely appealed the revocation of her approved Form I-918 U petition and this instant application.

In a separate proceeding, we found the applicant 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 approved waiver application (Form I-192) and enter a new decision into the record on the Form I-918 U petition. 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 U 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.