



U.S. Citizenship  
and Immigration  
Services

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**PUBLIC COPY**

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Date: **JUN 12 2012** Office: CALIFORNIA SERVICE CENTER [REDACTED]

IN RE: [REDACTED]

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

ON BEHALF OF PETITIONER:

[REDACTED]

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 with the field office or service center that originally decided your case by filing a 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,

Perry Rhew  
Chief, Administrative Appeals Office

**DISCUSSION:** The service center director denied the instant nonimmigrant visa petition, and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as the matter is now moot.

In the Petition for a Nonimmigrant Worker (Form I-129), the petitioner describes itself as a "Rubber products manufacturing and distribution" firm with 683 employees. To employ the beneficiary in what it designates as a "Sales/ERP Manager" position, the petitioner endeavors to classify him as a nonimmigrant worker in a specialty occupation pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(i)(b).

The director denied the petition because she determined that the evidence of record does not establish that the proffered position qualifies as a specialty occupation. On appeal, the petitioner submits a brief and evidence contending that the proffered position qualifies as a specialty occupation.

A review of U.S. Citizenship and Immigration Services records indicate that the beneficiary applied for adjustment of status on October 26, 2011, and that he became a lawful permanent resident on March 2, 2012.

Because the beneficiary has adjusted his status to permanent resident, further pursuit of the matter at hand is moot.

**ORDER:** The appeal is dismissed. The petition is denied.