



U.S. Citizenship
and Immigration
Services

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Date: **JUN 12 2012** Office: CALIFORNIA SERVICE CENTER

FILE:

IN RE: Petitioner:
Beneficiary:

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:



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 "Post-secondary Education" institution with 650 employees. To employ the beneficiary in what it designates as an "Assistant Women's Basketball Coach" 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 May 20, 2011, and that he became a lawful permanent resident on February 16, 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.