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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090  
U.S. Citizenship  
and Immigration  
Services



**PUBLIC COPY**



DA

**MAY 03 2012**

Date:

Office: CALIFORNIA SERVICE CENTER



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 law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. 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 \$630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Perry Rhew  
Chief, Administrative Appeals Office

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

On the Form I-129 visa petition, the petitioner stated that it is a "Life Insurance and Financial Products and Services" firm. In order to continue to employ the beneficiary in what it designates as an actuarial consultant position, the petitioner endeavors to extend her classification as a nonimmigrant worker in a specialty occupation pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(H)(i)(b).

The director denied the petition on the basis that the beneficiary had been in H or L nonimmigrant status for the maximum time permitted and that no exception to that general rule qualifies her for an extension of her visa status. On appeal, counsel asserted that the beneficiary qualifies for an extension of her visa status pursuant to section 106 of the American Competitiveness in the Twenty-First Century Act (AC21).

U.S. Citizenship and Immigration Services records indicate that the beneficiary applied for adjustment of status on July 24, 2007, by a Form I-485 assigned receipt number LIN 07 240 50333, and that she became a lawful permanent resident on July 14, 2010. The beneficiary's adjustment of status to lawful permanent resident renders the present proceeding moot.

**ORDER:** The appeal is dismissed based on the beneficiary's adjustment of status to that of a lawful permanent resident.