



U.S. Citizenship
and Immigration
Services

(b)(6)

DATE: FEB 06 2015

OFFICE: VERMONT SERVICE CENTER

FILE: [REDACTED]

IN RE:

Petitioner: [REDACTED]

Beneficiary: [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:

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. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,

Ron Rosenberg

Chief, Administrative Appeals Office

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

On the Petition for a Nonimmigrant Worker (Form I-129), the petitioner describes itself as a 1,400-employee "Charter School" firm established in [REDACTED]. In order to continue to employ the beneficiary in what it designates as a "Science Teacher" position, the petitioner seeks 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 (the Act), 8 U.S.C. § 1101(a)(15)(H)(i)(b).

The director initially approved the petition. However, on April 12, 2013 the service center director issued a notice of intent to revoke in this matter. Subsequently, on May 14, 2014, the director revoked approval of the visa petition. The petitioner filed an appeal on June 13, 2014.

A review of the records of U.S. Citizenship and Immigration Services (USCIS) indicates that this beneficiary is also the beneficiary of an approved immigrant petition and has adjusted status to that of a lawful permanent resident as of August 13, 2013. Because the beneficiary's status has been adjusted to permanent resident, further pursuit of the matter at hand is moot. Therefore, this appeal is dismissed.

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