



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF W-A-&W-C-, INC.

DATE: OCT. 8, 2015

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, an acupuncture clinic, seeks to employ the Beneficiary as an acupuncturist and to classify him as a nonimmigrant worker in a specialty occupation. *See* Immigration and Nationality Act (the Act) § 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, California Service Center, denied the petition. The matter is now before us on appeal. The appeal will be dismissed as the matter is now moot.

The Director reviewed the record of proceeding and determined that the Petitioner did not establish eligibility for the benefit sought. Specifically, the Director stated that the Petitioner did not establish that “the Beneficiary possesses the appropriate licensure as required by the proffered position, or has proven an exemption or exception from said requirement.” The Director denied the petition.

A review of U.S. Citizenship and Immigration Services records indicate that this Beneficiary is also the Beneficiary of an approved immigrant petition and has adjusted status to that of a U.S. permanent resident. While the Petitioner has not withdrawn the appeal in this proceeding, it would appear that the Beneficiary is presently a permanent resident and the issue in this proceeding is moot. Therefore, this appeal is dismissed.

ORDER: The appeal is dismissed.

Cite as *Matter of W-A-&W-C-, Inc.*, ID# 15916 (AAO Oct. 8, 2018)