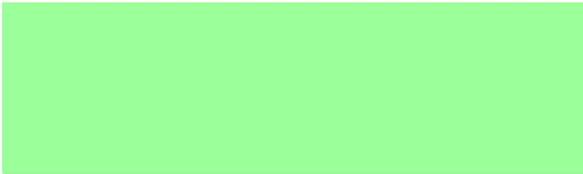


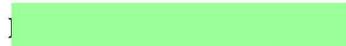


U.S. Citizenship
and Immigration
Services

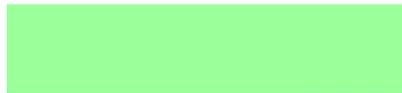
(b)(6)



Date: Office: Vermont Service Center

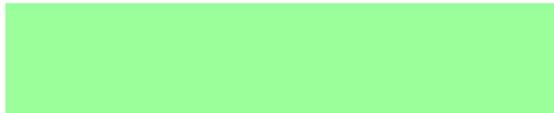


IN RE: JAN 16 2014 Petitioner:
Beneficiary:



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

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 Director, Vermont Service Center, denied the nonimmigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as moot.

The petitioner filed this nonimmigrant petition seeking to classify the beneficiary as an alien with extraordinary ability in the field of business, pursuant to section 101(a)(15)(O)(i) of the Immigration and Nationality Act ("Act"), 8 U.S.C. § 1101(a)(15)(O)(i).

The director denied the petition, and the petitioner filed a timely appeal.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that the beneficiary of this petition has been granted asylum status (AS-1 classification) in the United States. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is in the United States in lawful asylum status for an indefinite period, subject to termination, and the issues in this proceeding are moot.

Accordingly, the AAO finds that the beneficiary's current asylum status deprives this appeal of any practical significance. Considerations of prudence warrant the dismissal of the appeal as moot. *See Matter of Luis*, 22 I&N Dec. 747, 753 (BIA 1999).

ORDER: The appeal is dismissed.