



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

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

MATTER OF O.H-F-A-S-, INC.

DATE: NOV. 12, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

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

The Petitioner, a fine arts studio, seeks to classify the Beneficiary, a sculptor, as a foreign national with extraordinary ability in the arts. *See* Immigration and Nationality Act (the Act) § 101(a)(15)(O)(i), 8 U.S.C. § 1101(a)(15)(O)(i). The Director, Vermont Service Center, denied the petition. The matter is now before us on appeal. The appeal will be dismissed as moot.

A review of U.S. Citizenship and Immigration Services records indicates that on January 29, 2014, the Beneficiary filed a Form I-485, Application to Register Permanent Residence or Adjust Status, seeking CU-7 immigrant classification. USCIS approved the application and the Beneficiary adjusted status to that of a U.S. permanent resident as of August 1, 2011.¹ Accordingly, the Beneficiary is presently a legal permanent resident and the issues in this proceeding are moot. Therefore, the appeal will be dismissed as moot.

ORDER: The appeal is dismissed.

Cite as *Matter of O.H-F-A-S-, INC.*, ID# 15695 (AAO Nov. 12, 2015)

¹ On September 22, 2015, we sent a letter to the Petitioner, with a copy to counsel, requesting that the Petitioner verify within thirty days its intention to pursue the instant appeal of the O-1B classification petition. As of the date of this notice, we have not received a response to our request.