U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 34801449

Date: DEC. 10, 2024

Appeal of Texas Service Center Decision

Form I-140, Immigrant Petition for Alien Workers (National Interest Waiver)

The Petitioner, an architect and interior designer, seeks employment-based second preference (EB-2) immigrant classification as a member of the professions holding an advanced degree, as well as a national interest waiver of the job offer requirement attached to this classification. *See* Immigration and Nationality Act (the Act) section 203(b)(2), 8 U.S.C. § 1153(b)(2).

The Director of the Texas Service Center denied the petition, concluding that although the Petitioner qualified for the EB-2 visa classification as an advanced degree professional, she had not established eligibility for the national interest waiver. The Director dismissed the Petitioner's subsequent combined motions to reopen and reconsider solely because they were not accompanied by a statement about whether or not the unfavorable decision has been the subject of any judicial proceeding. *See* 8 C.F.R. § 103.5(a)(1)(iii)(C). The matter is now before us on appeal pursuant to 8 C.F.R. § 103.3.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that the Petitioner in this matter is also the beneficiary of an approved Form I-130, Petition for Alien Relative. USCIS approved the Petitioner's Form I-485, Application to Register Permanent Residence or Adjust Status, and she was granted permanent residence on November 22, 2024, subsequent to filing the instant appeal.

Although the Petitioner has not withdrawn the appeal in this proceeding, because the Petitioner is now a permanent resident, further pursuit of this matter would be moot. Accordingly, we will dismiss the appeal.

ORDER: The appeal is dismissed.