



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

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

In Re: 1929753

Date: DEC. 4, 2019

Appeal of Texas Service Center Decision

Form I-140, Immigrant Petition for Alien Worker (Extraordinary Ability)

The Petitioner, a marketing and advertising manager, seeks classification as an individual of extraordinary ability. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). This first preference classification makes immigrant visas available to those who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation.

The Director of the Texas Service Center denied the petition, concluding that the record did not establish that the Petitioner met at least three of the ten initial evidentiary criteria for this classification. On appeal, the Petitioner asserts that he meets at least three of the ten criteria and is eligible for the benefit sought.

U.S. Citizenship and Immigration Services (USCIS) records indicate that the Petitioner filed a new Form I-140 prior to filing this appeal, in which he also requested classification as an individual of extraordinary ability. The Director of the Texas Service Center approved that petition on November 30, 2018. As the Petitioner has an approved Form I-140 in the requested classification, further pursuit of this matter is moot.

**ORDER:** The appeal is dismissed.