



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

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

In Re: 23551665

Date: NOV. 25, 2022

Appeal of Texas Service Center Decision

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

The Petitioner, a research scientist, seeks to classify himself 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 the record did not establish that the Petitioner met at least three of the ten required evidentiary criteria at 8 C.F.R. § 204.5(h)(3). The matter is now before us on appeal.

U.S. Citizenship and Immigration Services (USCIS) records indicate that a different Form I-140, Immigrant Petition for an Alien Worker, filed by the Petitioner was approved after the instant appeal. USCIS records further show that a Form I-485, Application to Register Permanent Residence or Adjust Status, was approved subsequent to the filing of this appeal and that the Petitioner was issued a Permanent Resident Card on February 8, 2022. As the Petitioner is presently a permanent resident, further pursuit of this matter is moot.

**ORDER:** The appeal is dismissed.