U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 31110672

Date: MAY. 20, 2024

Appeal of Texas Service Center Decision

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

The Petitioner, a research scientist in the field of functional genomics, 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 satisfied the initial evidence requirements for this classification by demonstrating her receipt of a major, internationally recognized award or by submitting evidence to satisfy at least three of the ten evidentiary criteria at 8 C.F.R. § 204.5(h)(3). 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 records indicates that the Petitioner is also the beneficiary of an approved immigrant petition and has adjusted status to that of a U.S. permanent resident as of March 7, 2024. While the Petitioner has not withdrawn the appeal in this proceeding, it would appear that she is presently a permanent resident and the issues in this proceeding are moot. We will therefore dismiss the Petitioner's appeal.

ORDER: The appeal is dismissed.