



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

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

In Re: 9848961

Date: FEB. 17, 2021

Appeal of Nebraska Service Center Decision

Form I-140, Immigrant Petition for Alien Workers (Advanced Degree, Exceptional Ability, National Interest Waiver)

The Petitioner, a logistics director, seeks second preference 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 EB-2 classification. *See* Immigration and Nationality Act (the Act) section 203(b)(2), 8 U.S.C. § 1153(b)(2).

The Director of the Nebraska Service Center denied the petition, concluding that the Petitioner qualified for classification as a member of the professions holding an advanced degree, but that he had not established that a waiver of the required job offer, and thus of the labor certification, would be in the national interest. The matter is now before us on appeal.

U.S. Citizenship and Immigration Services records indicate that the Petitioner filed a subsequent Form I-140, Immigrant Petition for Alien Workers, also seeking a national interest waiver, which has been approved. Because the Petitioner of the instant petition has been approved for the same classification, further pursuit of the matter at hand would be moot.

ORDER: The appeal is dismissed.