



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

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

In Re: 27032743

Date: MAY 30, 2023

Appeal of Texas Service Center Decision

Form I-140, Immigrant Petition for Alien Workers (Advanced Degree)

The Petitioner, a provider of information and communications technologies, seeks to permanently employ the Beneficiary as an integration engineer. The petition requests his classification under the second-preference, immigrant visa category as a member of the professions holding an advanced degree. *See* Immigration and Nationality Act (the Act) section 203(b)(2)(A), 8 U.S.C. § 1153(b)(2)(A). This category allows a prospective U.S. employer to sponsor a noncitizen for lawful permanent residence to work in a job requiring at least a bachelor's degree followed by five years of progressive experience in the specialty. *Id.*; *see also* 8 C.F.R. § 204.5(k)(2) (defining the term "advanced degree").

The Director of the Texas Service Center denied the petition. The Director concluded that the Petitioner did not demonstrate the Beneficiary's qualifications for the requested immigrant visa category or the offered position. On appeal, the Petitioner contends that it mistakenly selected the wrong visa category on the Form I-140, Immigrant Petition for Alien Workers, and that the Director should have granted the company's request to amend the category.

U.S. Citizenship and Immigration Services (USCIS) records show that, after this appeal's filing, USCIS approved another petition by the Petitioner for the Beneficiary. The approved petition is in the immigrant visa category to which the company sought to change this petition and shares the same priority date as this filing.

Thus, adjudication of this appeal appears to lack practical significance. We will therefore dismiss it as moot. *See Matter of Luis*, 22 I&N Dec. 747, 753 (BIA 1999) (stating that, "as a matter of prudence," administrative tribunals may dismiss appeals and motions as moot).

ORDER: The appeal is dismissed.