



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

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

In Re: 25691088

Date: AUG. 28. 2023

Motions on Administrative Appeals Office Decision

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

The Petitioner, a distributor of used clothing, seeks to permanently employ the Beneficiary as a management analyst. The company requests his classification under the employment-based, second-preference (EB-2) 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). U.S. businesses may sponsor noncitizens for permanent residence in this category to work in jobs requiring at least bachelor's degrees followed by five years of progressive experience in corresponding specialties. *See* 8 C.F.R. § 204.5(k)(2) (defining the term "advanced degree").

The Director of the Texas Service Center denied the petition, and we dismissed the Petitioner's appeal and its following three combined motions to reopen and reconsider. *See In Re: 21900712* (AAO Oct. 31, 2022). We concluded that the company did not establish the Beneficiary's qualifying experience for the offered job or the requested immigrant visa category. *Id.* We also found the position's requirements, as certified by the U.S. Department of Labor, insufficient to establish the job's need for an advanced degree professional. *Id.*

The matter returns to us on the Petitioner's fourth combined motions to reopen and reconsider. U.S. Citizenship and Immigration Services records, however, show that, on August 9, 2023, the Beneficiary adjusted his status to that of a lawful permanent resident based on another company's petition for him. Thus, the record indicates that these motions lack practical significance. We will therefore dismiss the filings as moot. *See Matter of Luis*, 22 I&N Dec. 747, 753 (BIA 1999) (holding that, "as a matter of prudence," administrative agencies may dismiss appeals or motions as moot).

ORDER: The motion to reopen is dismissed.

FURTHER ORDER: The motion to reconsider is dismissed.