



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

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

In Re: 15398009

Date: JUNE 23, 2023

Appeal of Vermont Service Center Decision

Form I-485, Application to Register Permanent Residence or Adjust Status

The Applicant seeks to become a lawful permanent resident based on her “U” nonimmigrant status. *See* Immigration and Nationality Act (the Act) section 245(m), 8 U.S.C. § 1255(m). The U classification affords nonimmigrant status to crime victims, who assist authorities investigating or prosecuting the criminal activity, and their qualifying family members. The U nonimmigrant may later apply for lawful permanent residency.

The Director of the Vermont Service Center denied the Form I-485, Application to Register Permanent Residence or Adjust Status (U adjustment application), determining that the Applicant abandoned her application for lawful permanent residence. According to the Director, during the pendency of her U adjustment application, the Applicant traveled outside the United States while in active removal proceedings. The Applicant filed a motion to reconsider, which the Director also denied. The matter is now before us on appeal. 8 C.F.R. § 103.3.

U.S. Citizenship and Immigration Services (USCIS) records indicate that after filing the instant appeal, the Petitioner filed a subsequent U adjustment application, which USCIS approved. As the Petitioner has been accorded lawful permanent residency under section 245(m) of the Act in separate proceedings, the appeal of the instant U adjustment application will be dismissed as moot.

ORDER: The appeal is dismissed.