

### **8 C.F.R. § 214.2(o)(13) – Aliens of extraordinary ability or achievement**

(13) *Effect of approval of a permanent labor certification or filing of a preference petition on O classification.* The approval of a permanent labor certification or the filing of a preference petition for an alien shall not be a basis for denying an O-1 petition, a request to extend such a petition, or the alien's application for admission, change of status, or extension of stay. The alien may legitimately come to the United States for a temporary period as an O-1 nonimmigrant and depart voluntarily at the end of his or her authorized stay and, at the same time, lawfully seek to become a permanent resident of the United States.

<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=6fc7753391439e4ea85b8f4e607322b6&rgn=div5&view=text&node=8:1.0.1.2.18&idno=8#8:1.0.1.2.18.0.1.2> (Accessed 10/11/2012)