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U.S. Department of Homeland Security
20 Mass Ave., N.W., Rm. A3042
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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BY

JUN 20 2005

FILE: [Redacted]
WAC 97 006 50736

Office: CALIFORNIA SERVICE CENTER Date:

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

PETITION: Immigrant Petition for Alien Worker as a Multinational Executive or Manager Pursuant to Section 203(b)(1)(C) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(C)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The preference visa petition was approved on October 16, 1996 by the Director, California Service Center. The record shows that the director issued a decision dated April 18, 1998 revoking the approval of this petition. The petitioner subsequently submitted an appeal to the Administrative Appeals Office (AAO). After careful review of the record, the AAO remanded the matter back to the director for further consideration in a decision dated November 7, 2000. The director complied with the AAO's instructions and reopened the case with a request for additional evidence on April 29, 2003. When a response was not received within the allotted time period, the director issued a second notice, dated September 30, 2004, revoking the approval of the petition. The matter has since been certified to the AAO for review. The AAO will neither affirm nor overturn the director's decision. Rather, the appeal will be dismissed as moot.

The petitioner was organized as a limited liability company in 1995 under the laws of California. It claims to be engaged in the export of audio/video equipment and personal computers to the Far East. It seeks to hire the beneficiary as its vice president. Accordingly, the petitioner endeavors to classify the beneficiary as an employment-based immigrant pursuant to section 203(b)(1)(C) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(C), as a multinational executive or manager. The director revoked the petition based on the petitioner's purported failure to reply to the director's request for additional evidence.

A review of the record of the Citizenship and Immigration Services indicates that this beneficiary was granted permanent resident alien status on January 11, 2002. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently a permanent resident and the issues in this proceeding are moot. Therefore, this appeal is dismissed.

ORDER: The appeal is dismissed as moot.