



U.S. Citizenship
and Immigration
Services

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File: SRC 03 232 51136 Office: TEXAS SERVICE CENTER

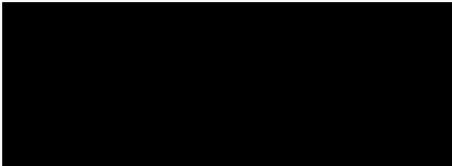
Date: AUG 17 2005

IN RE: Petitioner:
Beneficiary:



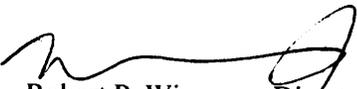
Petition: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(L) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L)

IN 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 director, Texas Service Center, denied the petition for a nonimmigrant visa. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The petitioner is a computer systems manufacturer established in 1984. The petitioner filed this L-1B nonimmigrant petition seeking to extend its authorization to employ the beneficiary temporarily in the United States as a quality engineer senior analyst pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L). The director denied the petition, concluding that the petitioner has failed to establish that the beneficiary will be employed in a specialized knowledge capacity or that the beneficiary possessed specialized knowledge.

On appeal, the petitioner and its counsel disagree with the director's decision and assert that the evidence presented establishes that the beneficiary possesses specialized knowledge and will be employed in a specialized knowledge capacity.

A review of the records of the Citizenship and Immigration Services indicates that this beneficiary is also the beneficiary of an approved L-1A nonimmigrant petition, valid from July 6, 2004 until July 6, 2006 (SRC 04 170 50380). While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently in valid L-1 status and the issues in this proceeding are moot. Therefore, this appeal is dismissed.

ORDER: The appeal is dismissed as moot.