

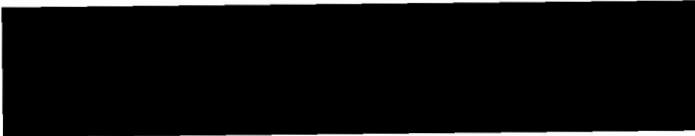


U.S. Citizenship  
and Immigration  
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FILE: LIN 04 250 51868 Office: NEBRASKA SERVICE CENTER Date: **JUL 18 2006**

IN RE: Petitioner:  
Beneficiary:



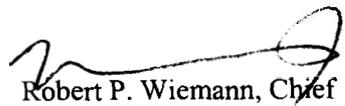
PETITION: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(L) of the  
Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L)

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, Chief  
Administrative Appeals Office

**DISCUSSION:** The nonimmigrant visa petition was denied by the Director, Nebraska Service Center. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The petitioner is engaged in the manufacture and sale of plastic welding machineries and jigs. It seeks to employ the beneficiary temporarily in the United States as its chief engineer. The director determined that the petitioner had not established that the beneficiary possessed specialized knowledge or that the proposed position required specialized knowledge.

On appeal, the petitioner argues that the petitioner satisfied the burden of proof in this matter and that the beneficiary does in fact possess specialized knowledge as defined by 8 C.F.R. § 214.2(l)(1)(ii)(D).

A review of Bureau records indicates that this beneficiary is also the beneficiary of an approved **nonimmigrant petition, filed by a different employer,** [REDACTED] and has been granted L-1B status for the period from May 1, 2006 through April 30, 2007. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently authorized to work in the United States as an intracompany transferee with specialized knowledge and the issues in this proceeding are moot. Therefore, this appeal is dismissed.

**ORDER:** The appeal is dismissed as moot.