



U.S. Citizenship
and Immigration
Services

Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy
PUBLIC COPY

D7



File: SRC 04 196 50250 Office: TEXAS SERVICE CENTER Date: MAY 04 2006

IN RE: Petitioner:
Beneficiary:



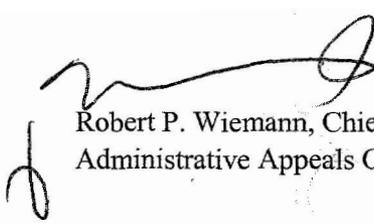
Petition: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(L) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L)

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

The petitioner filed this nonimmigrant petition seeking to extend the employment of its director/president as an L-1A nonimmigrant intracompany transferee pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L). The petitioner, a Texas corporation, claims to be a subsidiary of Integrated Business Systems, located in Hyderabad, Pakistan. The beneficiary was granted a one-year period of stay in order to open a new office in the United States and the petitioner now seeks to extend his status for a two-year period.

The director denied the petition concluding that the petitioner had not established: (1) that the beneficiary would be employed in a managerial or executive capacity under the extended petition; or (2) that the U.S. and foreign entities are qualifying organizations.

The petitioner subsequently filed an appeal. The director declined to treat the appeal as a motion and forwarded the appeal to the AAO for review. Counsel for the petitioner disputes the director's findings and submits additional evidence in support of the appeal.

A review of Citizenship and Immigration Services (CIS) records indicates that the beneficiary in this case is also the beneficiary of an approved first preference employment-based immigrant petition filed by the instant petitioner, and has adjusted status to that of a U.S. permanent resident as of June 29, 2005. 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.