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U.S. Citizenship
and Immigration
Services

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21

File: SRC 04 145 52423 Office: TEXAS SERVICE CENTER Date: **SEP 29 2006**

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

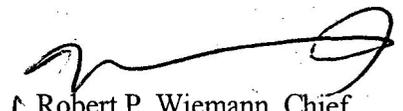
Petition: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(L) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L)

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, and affirmed the decision on a subsequent motion to re-consider. 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 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 is a Florida limited liability company that claims to do business as an insurance underwriting management provider. The petitioner states that it is the subsidiary of [REDACTED] C.A., located in Caracas, Venezuela. The beneficiary was initially granted a one-year period in L-1A classification in order to open a new office in the United States, and the petitioner now seeks to extend the beneficiary's status.

The director denied the petition on May 18, 2004, concluding that the petitioner did not establish: (1) that the beneficiary would be employed in the United States in a primarily managerial or executive capacity; or (2) that the U.S. company had been doing business for the previous year. The petitioner subsequently filed a motion to re-consider. The director granted the petitioner's motion and affirmed the denial of the petition in a decision dated July 10, 2004.

The petitioner subsequently filed the instant appeal. The director declined to treat the appeal as a motion and forwarded the appeal to the AAO for review.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that this beneficiary is also the beneficiary of an approved L-1A nonimmigrant petition filed by an apparently related petitioner, [REDACTED], valid from June 2, 2005 until June 2, 2007 (SRC 05 166 51330).¹ While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is either presently in L-1A status or is able to apply for the appropriate visa abroad, and the issues in this proceeding are moot. Therefore, this appeal is dismissed.

ORDER: The appeal is dismissed as moot.

¹ It is further noted that a review of the Florida Department of State's public records (<http://www.sunbiz.org>) shows the corporate status of the instant petitioner as "inactive" as of September 15, 2006.