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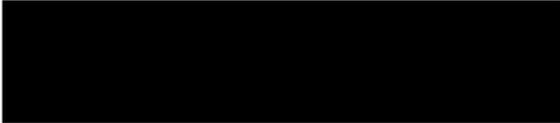
U.S. Department of Homeland Security  
20 Massachusetts Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE: WAC 07 082 51184 Office: CALIFORNIA SERVICE CENTER Date: **AUG 18 2008**

IN RE: Petitioner:  
Beneficiary:



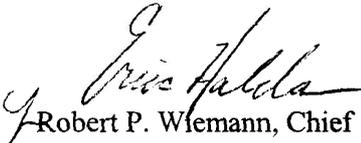
PETITION: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(P)(i) of the  
Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(P)

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, California 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 as moot.

The petitioner states that it is a holding company which owns a Spanish language radio station in Phoenix, Arizona. It seeks to classify the alien beneficiaries as essential support staff to an entertainment group whose performances are culturally unique under section 101(a)(15)(P) of the Immigration and Nationality Act (the Act). The director denied the petition, finding that the petitioner had failed to submit an appropriate written consultation from a labor organization as required by the regulations. On appeal, counsel for the petitioner submitted a brief and additional documentation in support of the petition.

A review of Citizenship and Immigration Services (CIS) records indicates that on January 11, 2008, the petitioner filed a separate petition under WAC 08 071 51532 to classify the same beneficiaries as essential support staff under 101(a)(15)(P) of the Act. According to CIS records, the petition was approved on January 17, 2008. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiaries are presently in the United States in P-3S status and the issue in this proceeding is moot. Therefore, this appeal is dismissed.

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