



U.S. Citizenship
and Immigration
Services

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DATE: Office: TEXAS SERVICE CENTER

FILE:

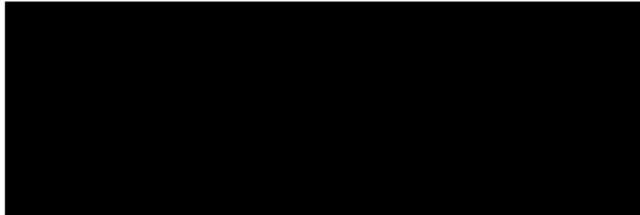


IN RE: Petitioner:
Beneficiary:



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

ON BEHALF OF PETITIONER:

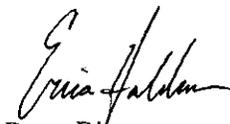


INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,


Perry Rhew

Chief, Administrative Appeals Office

DISCUSSION: The Director, Texas Service Center, denied the nonimmigrant visa petition. The Administrative Appeals Office (AAO) dismissed the subsequently filed appeal and affirmed the director's decision to deny the petition. The matter is now before the AAO on a motion to reopen or reconsider. The AAO will dismiss the motion.

The petitioner filed this nonimmigrant petition to employ the beneficiary pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L), as an intracompany transferee employed in a managerial or executive capacity. The petitioner, a Georgia corporation engaged in the wholesale and distribution of oils, sugars, and soaps, seeks to employ the beneficiary as its president and chief executive officer for a period of one year.

The director denied the petition on June 12, 2002, and the AAO denied the subsequent appeal on February 27, 2003 on two alternative grounds: (1) that the beneficiary was not employed abroad in an executive or managerial capacity, and (2) that the beneficiary would not be employed in an executive or managerial capacity in the United States.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that the beneficiary of this petition became a United States citizen on September 10, 2010. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently a United States citizen and the issues in this proceeding are moot. Therefore, this motion will be dismissed.

ORDER: The motion is dismissed.