

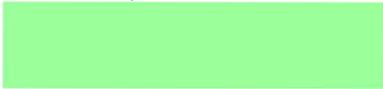
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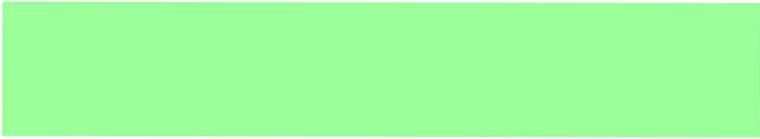
U.S. Citizenship
and Immigration
Services



DATE: **NOV 18 2013** OFFICE: VERMONT SERVICE CENTER



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 (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, Vermont 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 the matter is now moot.

The petitioner filed this nonimmigrant visa petition seeking to extend the employment of the beneficiary as an L-1A intracompany transferee employed pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act ("the Act"), U.S.C. § 1101(a)(15)(L). The petitioner, a Texas limited liability company established in 2012, states that is in the business of tire import, export, and sales. The petitioner claims to be a subsidiary of [REDACTED]. The petitioner seeks to employ the beneficiary as its general manager of its new office for a period of two years.

The director denied the petition, concluding that the petitioner failed to establish: (1) that the new office will grow to support an executive position within the first year of operation; (2) that sufficient physical premises have been secured; and (3) that the necessary qualifying relationship exists between the petitioner and the foreign entity. The petitioner filed a timely appeal with the AAO.

A review of U.S. Citizenship and Immigration Services records indicates that this beneficiary is also the beneficiary of an approved family-based immigrant petition and has adjusted status to that of a permanent resident as of July 26, 2013. 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.

Accordingly, the AAO finds that the beneficiary's adjustment of status deprives this appeal of any practical significance. Considerations of prudence warrant the dismissal of the appeal as moot. *See Matter of Luis*, 22 I&N Dec. 747, 753 (BIA 1999).

ORDER: The appeal is dismissed.