



U.S. Citizenship
and Immigration
Services

(b)(6)

DATE: **OCT 21 2014** OFFICE: CALIFORNIA SERVICE CENTER

FILE: [REDACTED]

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

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:

[REDACTED]

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

The petitioner filed the petition seeking to classify the beneficiary as an L-1A nonimmigrant intracompany transferee pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L). The petitioner is a business management consulting company established under the laws of the state of Texas with locations in [REDACTED] and [REDACTED]. The beneficiary was initially admitted to the United States in L-1A classification in 2012, and was subsequently granted an extension of his L-1A status until April 4, 2013. The petitioner filed the instant petition on February 28, 2013, requesting to extend the beneficiary's employment as a human resource manager in [REDACTED] Nevada.

The director denied the petition on May 8, 2013 concluding that the petitioner failed to establish that it would employ the beneficiary in a qualifying managerial or executive capacity under the extended petition. The petitioner filed a timely appeal.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that, subsequent to the denial of the petition, the petitioner filed a new Form I-129, Petition for a Nonimmigrant Worker, on December 19, 2013 [REDACTED]. USCIS approved the petition and granted the beneficiary L-1A classification from January 2, 2014 through December 31, 2017. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently authorized for employment with the petitioner in the requested classification, and the issues in this proceeding are moot.

Accordingly, the AAO finds that the beneficiary's current nonimmigrant 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 as moot.