



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF I-S-, INC.

DATE: NOV. 13, 2015

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, an information technology services firm, seeks to temporarily employ the Beneficiary as a “Business Analyst” under the H-1B nonimmigrant classification. *See* Immigration and Nationality Act (the Act) § 101(a)(15)(H)(i)(b), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The Director, California Service Center, denied the petition. The matter is now before us on appeal. The appeal will be dismissed.

The Director denied the petition and affirmed that decision on motion, finding in both instances that the Petitioner had not established that the Beneficiary was qualified to perform the specialty occupation position that the Petitioner claimed the proffered position to be. On appeal, the Petitioner contends that the Director’s basis for denying the petition was erroneous and that the Petitioner satisfied all evidentiary requirements for qualifying the Beneficiary under the controlling regulations.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that on April 13, 2015, a date subsequent to the denial of the instant petition, another employer filed a Form I-129 petition seeking H-1B nonimmigrant classification on behalf of the Beneficiary. USCIS records further indicate that this other employer’s petition was approved on July 20, 2015. We sent a letter to the Petitioner requesting verification of its intent to pursue the appeal on August 4, 2015, and have not received a response.

Because the Beneficiary in the instant petition has been approved for H-1B employment with another petitioner, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed.

Cite as *Matter of I-S-, Inc.*, ID# 12639 (AAO Nov. 13, 2015)