



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

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

MATTER OF A-T- INC.

DATE: SEPT. 21, 2015

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

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

The Petitioner, an advanced software development company, seeks to classify the Beneficiary as a nonimmigrant worker in a specialty occupation. *See* § 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The Director, California Service Center, denied the petition on February 18, 2015, finding that the Petitioner had not established an employer-employee relationship with the Beneficiary. The matter is now before us on appeal. The appeal will be dismissed.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that on March 6, 2015, a date subsequent to the denial of the instant petition, the Petitioner submitted a new Form I-129 on the beneficiary's behalf. USCIS records further indicate that this second petition was approved on June 5, 2015, which granted the Beneficiary H-1B status from June 5, 2015 until December 8, 2016. Because the Beneficiary in the instant petition has been approved for employment with the Petitioner based upon the filing of another petition, further pursuit of the matter at hand is moot.

**ORDER:** The appeal is dismissed.

Cite as *Matter of A-T-, Inc.*, ID# 14043 (AAO Sept. 21, 2015)