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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE: LIN 06 043 53822 Office: NEBRASKA SERVICE CENTER Date: JUL 07 2008

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

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

ON BEHALF OF PETITIONER:



This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Director, Nebraska 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.

The petitioner claims to be in the business of manufacturing automotive components. The petitioner states that it is a branch office of [REDACTED], located in South Korea. The U.S. entity petitioned Citizenship and Immigration Services (CIS) to classify the beneficiary as a nonimmigrant intracompany transferee (L-1A) pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L). The beneficiary was initially granted a one-year period of stay to open a new office and the petitioner now seeks to extend the beneficiary's stay in order to continue to fill the position of general manager, North American branch office.

On appeal, the petitioner argues that the beneficiary qualifies as an executive under the definition contained in 8 C.F.R. § 214.2(l).

A review of CIS records indicates that this beneficiary is also the beneficiary of an approved immigrant petition, filed by the same employer, and has adjusted status to that of a permanent resident status as of September 2007. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently a permanent resident and the issues in this proceeding are moot. Therefore, this appeal is dismissed.

ORDER: The appeal is dismissed as moot.