



U.S. Citizenship  
and Immigration  
Services



D7

DATE: **DEC 08 2012** Office: CALIFORNIA SERVICE CENTER FILE:

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 in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you.

Ron Rosenberg  
Acting 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 appeal will be dismissed as moot.

The petitioner filed the nonimmigrant petition seeking to extend the beneficiary's employment under section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L), as an intracompany transferee employed in a managerial or executive capacity. The petitioner, a Georgia corporation, states that it is engaged automobile and truck allow wheel accessory after-market production. It claims to be a subsidiary of Bimecc Engineering S.P.A., located in Italy. The petitioner has employed the beneficiary in L-1A status since May 2009 and now seeks to extend his status for two additional years.

The director denied the petition on March 19, 2012 concluding that the petitioner failed to establish that the beneficiary would be employed primarily in a qualifying managerial or executive capacity. The petitioner filed a timely appeal.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that the beneficiary of this petition adjusted status to that of a U.S. lawful permanent resident as of November 23, 2012.

While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently a lawful permanent resident. 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 as moot.