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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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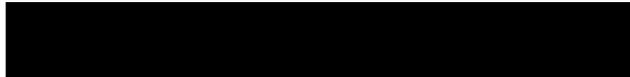
Office: VERMONT SERVICE CENTER

FILE:



IN RE:

Petitioner:



Beneficiary:

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:



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 law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The director, Vermont Service Center, denied the nonimmigrant visa petition, and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as the matter is now moot.

The petitioner claims to be a rental management and food distribution business established in 2009. It seeks to employ the beneficiary as a Marketing Manager/Vice President. The petitioner, therefore, endeavors to classify the beneficiary as a an L-1A nonimmigrant intracompany transferee pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L).

The director denied the petition on the grounds that the petitioner failed to establish that beneficiary has been employed abroad for one continuous year in an executive or managerial capacity in the last three years; the intended United States operation will not support an executive or managerial position; and the petition was improperly filed as it was not signed by a designated representative of the employing organization.

A review of the records of U.S. Citizenship and Immigration Services (USCIS) indicates that this beneficiary is also the beneficiary of an approved immigrant petition and has adjusted status to that of a conditional permanent resident as of July 29, 2011. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently a conditional permanent resident and the issues in this proceeding are moot. Therefore, this appeal is dismissed.

ORDER: The appeal is dismissed as moot.