



U.S. Citizenship
and Immigration
Services

(b)(6)

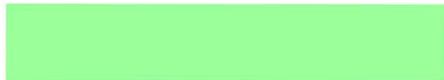


DATE: FEB 07 2013

Office: CALIFORNIA 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:

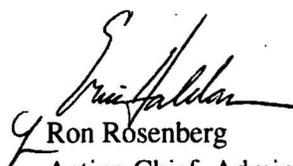


INSTRUCTIONS:

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 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 AAO will dismiss the appeal as moot.

The petitioner filed the nonimmigrant petition to classify the beneficiary as an 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 petitioner seeks to temporarily transfer the beneficiary to the United States as an employee with specialized knowledge for a period of three years. The petitioner requested that the U.S. Consulate in Moscow, Russia be notified upon approval of the petition so that the beneficiary could obtain a visa and be admitted to the United States.

The director denied the petition on August 18, 2009, and the petitioner filed a timely appeal.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that, subsequent to the denial of the petition, the petitioner filed a new Form I-129, Petition for a Nonimmigrant Worker, on September 10, 2009 (). USCIS approved the new petition and granted the beneficiary H-1B classification from October 26, 2009 through September 9, 2012. Although the petitioner has not withdrawn the appeal in this proceeding, it appears the beneficiary was authorized for employment with the petitioner during the approximate time requested in the instant petition, and the issues in this proceeding are therefore moot.

Accordingly, the AAO finds that the beneficiary's current nonimmigrant 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.