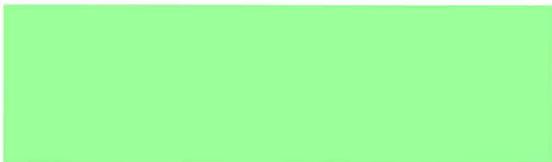
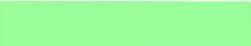


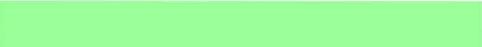


U.S. Citizenship
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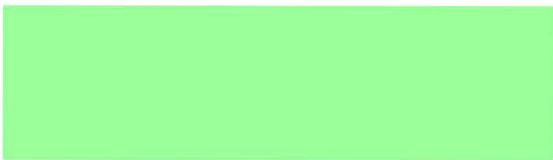


DATE: **NOV 17 2014** OFFICE: VERMONT SERVICE CENTER FILE: 

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:

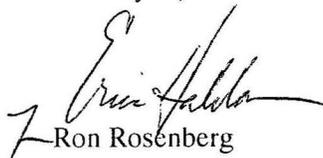


INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,



Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, Vermont 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 this Form I-129, Petition for a Nonimmigrant Worker, seeking to classify the beneficiary as 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 petitioner is a Delaware corporation established in April 2012. On the Form I-129, the petitioner states that it sells and markets proprietary software developed by its affiliates [REDACTED]. The petitioner claims to be a subsidiary of [REDACTED] and an affiliate of [REDACTED]. The petitioner seeks to employ the beneficiary as its chief executive officer and director of marketing.

The director denied the petition determining the petitioner failed to establish: (1) that the U.S. company is currently doing business in the United States; and (2) that the beneficiary will be employed in a primarily managerial or executive capacity. The petitioner filed a timely appeal.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that subsequent to filing the appeal, the petitioner submitted a new Form I-129 on the beneficiary's behalf and requested that the U.S. Consulate in Sao Paulo, Brazil be notified upon its approval. USCIS records further indicate that this second petition was approved on January 6, 2014 and granted the beneficiary L-1A status from January 15, 2014 to January 14, 2016 [REDACTED].

While the petitioner has not withdrawn the appeal in this proceeding, USCIS records show that the beneficiary is presently authorized for employment with the petitioner in the requested classification, and the issues in this proceeding are moot. Therefore, the appeal will be dismissed.

ORDER: The appeal is dismissed.