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**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF R-T-I- INC.

DATE: DEC. 1, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, a business engaged in the import and export of anti-cancer radiotherapy equipment, seeks to classify the Beneficiary as an L-1A nonimmigrant intracompany transferee. *See* section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L). The Director, Vermont Service Center initially approved the petition. Upon review, including a site visit to the Petitioner's premises, the Director issued a notice of intent to revoke (NOIR) approval of the petition and ultimately revoked the approval of the petition. The matter is now before us on appeal. The appeal will be dismissed.

On September 14, 2015, we issued a notice of intent to dismiss (NOID) this appeal. Pursuant to 8 C.F.R. § 103.2(b)(16)(i), the NOID informed the Petitioner that, according to the records at the Georgia Secretary of State website, the Petitioner appears to be currently dissolved. *See* [https://ecorp.sos.ga.gov/BusinessSearch/BusinessInformation?businessId=\[REDACTED\]&businessType=Domestic%20Profit%20Corporation](https://ecorp.sos.ga.gov/BusinessSearch/BusinessInformation?businessId=[REDACTED]&businessType=Domestic%20Profit%20Corporation) (accessed November 4, 2015).

We also notified the Petitioner that if it is currently dissolved, this fact is material to its eligibility for the requested visa. Specifically, the Petitioner's dissolution raises serious questions about whether it continues to exist as an importing employer, whether the Petitioner maintains a qualifying relationship, and whether it is authorized to conduct business in a regular and systematic manner. *See* section 214(c)(1) of the Act; *see also* 8 C.F.R. §§ 214.2(l)(1)(ii)(G) and (l)(3).

We allowed the Petitioner 30 days to rebut the finding that the Petitioner has been dissolved. More than 30 days have passed, and the Petitioner has not responded to our request for a certificate of good standing or other proof that it remains in operation as a viable business. Thus, the appeal will be dismissed as moot.<sup>1</sup>

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<sup>1</sup> Even if the appeal could be sustained, the petition's approval would be subject to revocation pursuant to 8 C.F.R. § 214.2(l)(9)(iii) upon dissolution of the corporate entity. Accordingly, the AAO finds that the dissolution of the petitioner 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).

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In visa petition proceedings, it is the petitioner's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013). Here, that burden has not been met.

**ORDER:** The appeal is dismissed.

Cite as *Matter of R-T-I- Inc.*, ID# 13980 (AAO Dec. 1, 2015)