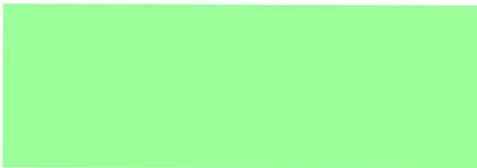




U.S. Citizenship
and Immigration
Services

(b)(6)



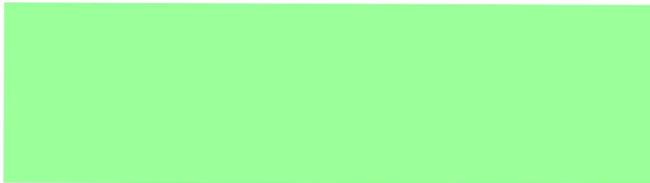
DATE: FEB 06 2015 OFFICE: VERMONT SERVICE CENTER

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,

7 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 the Form I-129 (Petition for a Nonimmigrant Worker, seeking to extend the beneficiary's status as an L-1B 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 seeks to extend the beneficiary's employment in the United States in the position of lead software engineer for a period of two years.

The director denied the petition on May 8, 2014, concluding that the petitioner failed to establish that the beneficiary possesses specialized knowledge or that he had been employed abroad or would be employed in the United States in a specialized knowledge capacity.

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 on June 11, 2014 (EAC 14 180 51923) and USCIS approved the petition, granting the beneficiary L-1B classification through June 13, 2016. The petitioner also filed a Form I-129 on April 10, 2014 (EAC 14 148 53835) and USCIS approved the petition, granting the beneficiary H-1B classification through September 15, 2017. While the petitioner has not withdrawn the appeal in this proceeding, it would appear that the beneficiary is presently authorized for employment with the petitioner, and the issues in this proceeding are moot.

Accordingly, we find 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.