U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 8494018

Date: DEC. 4, 2019

Appeal of California Service Center Decision

Form I-129, Petition for L-1A Manager or Executive

The Petitioner, a car dealership, seeks to continue the Beneficiary's temporary employment as its finance manager under the L-1A nonimmigrant classification for intracompany transferees. Immigration and Nationality Act (the Act) section 101(a)(15)(L), 8 U.S.C. § 1101(a)(15)(L). The L-1A classification allows a corporation or other legal entity (including its affiliate or subsidiary) to transfer a qualifying foreign employee to the United States to work temporarily in a managerial or executive capacity.

The Director of the California Service Center initially denied the petition without a written decision. We remanded the matter to correct this error, and the Director issued a written decision, indicating that the record did not establish, as required, that it will employ the Beneficiary in the United States in a managerial or executive capacity. The Director certified the decision to us for review. In a separate decision, we considered the Petitioner's response to the certified decision.

The regulations do not require, or permit, a petitioner to appeal a certified decision. Instead, the certified decision, along with the record of proceeding, is forwarded to us for review. The petitioner then has the option to submit a supplemental brief directly to us. *See* 8 C.F.R. § 103.4(a)(2).

Nevertheless, the Petitioner submitted an appeal with the brief on certification.

Because we have already reviewed the certified denial and issued our own decision, there is no active matter to be appealed. Therefore, we must dismiss the appeal as moot.

ORDER: The appeal is dismissed.