U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 19146790

Date: DEC. 22, 2021

Appeal of Texas Service Center Decision

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

The Petitioner, a software company, seeks to continue the Beneficiary's temporary employment as a senior product manager under the L-1A nonimmigrant classification for intracompany transferees. Immigration and Nationality 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 Texas Service Center denied the extension petition, concluding that the record did not establish, as required, that the Beneficiary's positions abroad and in the United States meet the requirements of a managerial or executive capacity. The matter is now before us on appeal.

U.S. Citizenship and Immigration Services (USCIS) records indicate that the petitioning employer filed another nonimmigrant petition (with receipt number [redacted] on the Beneficiary's behalf. USCIS records further indicate that this second petition was approved on June 9, 2021, thereby granting the Beneficiary L-1A status from August 8, 2020, to August 7, 2022. These are the same dates, in the same nonimmigrant status, that the Petitioner had sought in the present proceeding.

Because the approval of another petition has granted the Beneficiary the same two years of L-1A nonimmigrant status that the Petitioner had sought in this proceeding, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed.