U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 12485634

Date: FEB. 25, 2021

Appeal of California Service Center Decision

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

The Petitioner, a real estate development company, seeks to employ the Beneficiary as a chief executive officer under the L-1A nonimmigrant visa classification for intracompany managers and executives. *See* Immigration and Nationality Act (the Act) section 101(a)(15)(L), 8 U.S.C. § 1101(a)(15)(L).

The Director of the California Service Center denied the petition concluding that the Petitioner did not establish that: (1) the foreign company is doing business abroad; (2) the United States company is doing business in the U.S.; (3) the Beneficiary has been employed abroad in a managerial or executive capacity; and (4) the Beneficiary would be employed in the United States in a managerial or executive capacity.

U.S. Citizenship and Immigration Services (USCIS) records indicate that the petitioning employer filed another Form I-129, Petition for a Nonimmigrant Worker, on the Beneficiary's behalf (with receipt number [redacted]). USCIS records further indicate that this second petition was approved on January 5, 2021, thereby granting the Beneficiary L-1A status until January 4, 2022.

Because the Beneficiary in the instant petition has been approved for employment with the Petitioner based upon the filing of another petition, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed.