U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF A-F- LLC

DATE: MAR. 26, 2018

APPEAL OF VERMONT SERVICE CENTER DECISION

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

The Petitioner, a food production company, seeks to temporarily employ the Beneficiary as its chief executive officer under the L-1A nonimmigrant classification for intracompany transferees. *See* 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 Vermont Service Center denied the petition, concluding that the record did not establish that the Beneficiary would be employed in a managerial or executive capacity within one year of an approval of the petition. The matter is now before us on appeal.

U.S. Citizenship and Immigration Services records show that, subsequent to the filing of the instant appeal, the Petitioner filed a new Form I-129, Petition for a Nonimmigrant Worker, on the Beneficiary's behalf. That petition was approved and the Beneficiary was granted L-1A classification for the period October 19, 2017, until October 18, 2018. Because another L-1A petition filed by the same petitioner has been approved for the Beneficiary, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed.

Cite as *Matter of A-F- LLC*, ID# 1095584 (AAO Mar. 26, 2018)