U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF B-M- INC.

DATE: OCT. 17, 2019

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

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

The Petitioner, operating as an E-commerce trade organization, seeks to continue the Beneficiary's temporary employment as its "CEO" under the L-1A nonimmigrant classification for intracompany transferees. *See* 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 denied the petition concluding that the Petitioner did not establish, as required, that 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]) on November 3, 2017. USCIS records further indicate that this second petition was approved on February 5, 2019, which granted the Beneficiary L-1A status from February 5, 2019 until February 4, 2021.

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.

Cite as *Matter of B-M- Inc.*, ID# 6361832 (AAO Oct. 17, 2019)