U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF R-B- INC.

DATE: SEPT. 10, 2019

APPEAL OF CALIFORNIA SERVICE CENTER DECISION

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

The Petitioner, a processor of biotech products, seeks to extend the Beneficiary's temporary employment as its president 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 approved the petition, but then revoked that approval, concluding that the record did not establish, as required, that: (1) the Petitioner is doing business, and (2) the Petitioner will employ the Beneficiary in the United States in a managerial or executive capacity. The matter is now before us on appeal.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that the Petitioner filed an immigrant petition on behalf of this Beneficiary. USCIS approved that petition in January 2017. The Beneficiary filed Form I-485, Application to Register Permanent Residence or Adjust Status, and USCIS approved that application in October 2017. While the Petitioner has not withdrawn the appeal in this proceeding, it would appear that the Beneficiary is now a permanent resident, and the issues in this proceeding are moot. Therefore, this appeal is dismissed.

ORDER: The appeal is dismissed as moot.

Cite as *Matter of R-B- Inc.*, ID# 1069774 (AAO Sept. 10, 2019)