



**U.S. Citizenship
and Immigration
Services**

Non-Precedent Decision of the
Administrative Appeals Office

In Re: 7871589

Date: MAR. 7, 2022

Appeal of California Service Center Decision

Form I-129, Petition for Nonimmigrant Worker (H-1B)

The Petitioner seeks to temporarily employ the Beneficiary under the H-1B nonimmigrant classification for specialty occupations. See Immigration and Nationality Act (the Act) section 101(a)(15)(H)(i)(b), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The H-1B program allows a U.S. employer to temporarily employ a qualified foreign worker in a position that requires both: (a) the theoretical and practical application of a body of highly specialized knowledge; and (b) the attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum prerequisite for entry into the position.

The Director of the California Service Center denied the petition, concluding that (1) the Beneficiary did not possess the equivalent of a U.S. bachelor's degree in any specific specialty, and (2) the Beneficiary did not maintain his previously approved immigration status. The matter is now before us on appeal. On appeal, the Petitioner submits a brief and contends that the petition should be approved. We will dismiss the appeal.

U.S. Citizenship and Immigration Services records indicate that the Petitioner filed a subsequent petition seeking nonimmigrant H-1B classification on behalf of the Beneficiary, and that the petition was approved. Because the Beneficiary of the instant petition has been approved for H-1B employment with the Petitioner, the matter is now moot.

ORDER: The appeal is dismissed.