



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

**Non-Precedent Decision of the
Administrative Appeals Office**

In Re: 19712744

Date: MAR. 8, 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 Form I-129, Petition for a Nonimmigrant Worker, concluding that the Beneficiary does not qualify for an extension of H-1B employment beyond the maximum period of authorized admission of six years. The matter is now before us on appeal. On appeal, the Petitioner submits a brief and additional evidence, and asserts that the Director erred in denying the petition. 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.