



U.S. Citizenship  
and Immigration  
Services

Non-Precedent Decision of the  
Administrative Appeals Office

In Re: 16588776

Date: APR. 21, 2022

Appeal of Vermont Service Center Decision

Form 1-129, Petition for Nonimmigrant Worker (Athlete, Artist, or Entertainer- P)

The Petitioner, a music production and artist management business, seeks to extend the Beneficiaries' classification as an internationally-recognized entertainment group. *See* section 101(a)(15)(P)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(P)(i).

The Director of the Vermont Service Center denied the petition, concluding that the Petitioner did not show that the group has been established and performing regularly for a period of at least 1 year or that the group has been internationally recognized in the discipline for a sustained and substantial period of time.<sup>1</sup> The Director observed that the documentation submitted pertains to the individual [redacted] [redacted] known professionally as "[redacted]" that the evidence refers to him as a solo or individual artist, and that record does not establish that the Beneficiaries are a group.<sup>2</sup>

U.S. Citizenship and Immigration Services (USCIS) records indicate that a different petitioner, [redacted] [redacted] filed a nonimmigrant petition to extend O-1 classification on behalf of Beneficiary [redacted] ([redacted]) which the Director of the California Service Center approved on August 14, 2020, with a validity period until August 14, 2023.<sup>3</sup> In addition, USCIS records indicate that Beneficiary [redacted] filed an application to extend O-3 dependent spouse classification ([redacted]) which the Director of the California Service Center approved on August 15, 2020, with a validity period until August 14, 2023.<sup>4</sup> Accordingly, further pursuit of the matter at hand is moot.

**ORDER:** The appeal is dismissed.

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<sup>1</sup> The Director also denied the Petitioner's request for extension of status *nunc pro tunc* based upon a claim of ineffective assistance of prior counsel.

<sup>2</sup> The record indicates that the Beneficiaries are husband and wife, and that Beneficiary [redacted] is the son of [redacted] [redacted]

<sup>3</sup> USCIS records also show that Beneficiary [redacted] initially received O-1 nonimmigrant classification in 2017 based on a nonimmigrant petition filed on his behalf by that petitioner ([redacted]) with a validity period from August 15, 2017, to August 14, 2020.

<sup>4</sup> USCIS records further provide that Beneficiary [redacted] initially received O-3 dependent spouse nonimmigrant classification abroad in 2018 with a validity period of March 15, 2018, to August 14, 2020.