



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

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

In Re: 7752100

Date: JULY 20, 2020

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 the evidence of record did not establish eligibility for the immigration benefit sought. On appeal, the Petitioner asserts that the Director erred in denying the petition.

U.S. Citizenship and Immigration Services records indicate that another Petitioner filed a Form I-129, Petition for a Nonimmigrant Worker, seeking H-1B classification on behalf of the Beneficiary and that the petition was subsequently approved. Because the Beneficiary has been approved for H-1B employment with the Petitioner, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed.