



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

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

In Re: 12872276

Date: DEC. 18, 2020

Appeal of Texas Service Center Decision

Form I-140, Petition for Multinational Managers or Executives

The Petitioner, describing itself as a nonresidential construction company, sought to permanently employ the Beneficiary as its executive director under the first preference immigrant classification for multinational executives or managers. Immigration and Nationality Act (the Act) section 203(b)(1)(C), 8 U.S.C. § 1153(b)(1)(C).

The Director of the Texas Service Center denied the petition on multiple grounds, concluding that the Petitioner did not establish that: 1) it had a qualifying relationship with the Beneficiary's foreign employer; 2) the Beneficiary was employed abroad for one continuous year in the three preceding the date the petition was filed; 3) the Beneficiary had been employed abroad in a managerial or executive capacity; 4) the Beneficiary would be employed in the United States in a managerial or executive capacity; 5) the Beneficiary was offered permanent full-time employment in the United States; 6) it was doing business in the United States as defined by the regulations; and 7) it had the ability to the pay the Beneficiary's proffered wage.

The Petitioner was established under the laws of the State of Louisiana. After filing the petition and this appeal¹, the Petitioner filed an affidavit to dissolve with the Louisiana Secretary of State on December 28, 2016.² The Petitioner's dissolved status is material to its eligibility for the requested visa, including several of the Director's grounds for denying the petition discussed above. Specifically, the Petitioner's dissolution indicates that it does not continue to exist as an intending U.S. employer, does not maintain a qualifying relationship with a foreign entity, and is not authorized to conduct business. *See* section 214(c)(1) of the Act; *see also* 8 C.F.R. §§ 214.2(l)(1)(ii)(G) and (l)(3). Because there is no active and legal U.S. entity, no *bona fide* job offer exists for the Beneficiary; therefore, the petition has become moot and the appeal must be dismissed.

ORDER: The appeal is dismissed.

¹ The petition was filed on September 20, 2013 and the appeal was filed July 6, 2015.

² *See* <https://coraweb.sos.la.gov/commercialsearch/CommercialSearchDetails.aspx?>