



U.S. Citizenship
and Immigration
Services

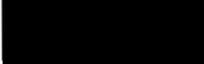
identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

PUBLIC COPY



B4

FILE:



Office: VERMONT SERVICE CENTER

Date: OCT 12 2006

EAC 05 112 51335

IN RE:

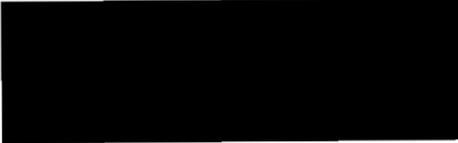
Petitioner:

Beneficiary:



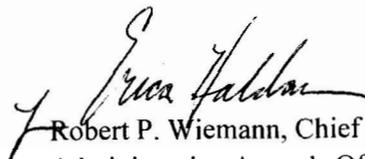
PETITION: Immigrant Petition for Alien Worker as a Multinational Executive or Manager Pursuant to Section 203(b)(1)(C) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(C)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.


Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Director, Vermont Service Center, denied the immigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The petitioner is a garment manufacturer and distributor that seeks to classify the beneficiary as a multinational manager or executive pursuant to section 203(b)(1)(C) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(C).

Noting that the record was deficient, the director requested additional evidence in support of the petition. After the petitioner failed to submit the requested evidence, the director denied the petition for abandonment, pursuant to 8 C.F.R. § 103.2(b)(15).

The director correctly informed the petitioner that no appeal would lie from the decision. Regardless, the petitioner submitted an appeal on March 17, 2006. On appeal, counsel for the petitioner asserts that neither counsel nor the petitioner received a copy of the request for evidence issued by the director on September 8, 2005.

The evidence of record clearly shows that the request for evidence was properly sent to counsel's address of record. *See* 8 C.F.R. § 103.5a(a)(1). The director's February 27, 2006 decision was sent to the same address, and was delivered to counsel. Therefore, the AAO concludes that the request for evidence was properly served to the appropriate parties.

The regulations provide that no appeal lies from the denial of a petition for abandonment. 8 C.F.R. § 103.2(b)(15). As there is no appeal from the director's denial, the petitioner's appeal must be rejected.

ORDER: The appeal is rejected.