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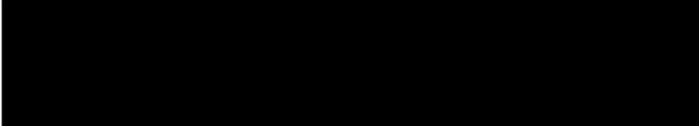
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE: EAC 05 211 53202 Office: VERMONT SERVICE CENTER Date: NOV 26 2007

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

PETITION: Nonimmigrant Petition for Religious Worker Pursuant to Section 101(a)(15)(R)(1) of the
Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

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 nonimmigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

We note that the record contains Form G-28, Notice of Entry of Appearance as Attorney or Representative, indicating that [REDACTED] represents the beneficiary. There is no comparable Form G-28 showing that [REDACTED] is the petitioner's attorney, and therefore the AAO considers the petitioner to be self-represented.

When the director denied the petition, the director correctly indicated that the regulations make no provision to allow the petitioner to appeal the denial of an R-1 nonimmigrant visa petition.

Because there is no provision to allow the petitioner to appeal the director's decision, the appeal cannot be accepted, and therefore must be rejected.

Furthermore, 8 C.F.R. § 103.3(a)(1)(iii)(B) states that, for purposes of appeals, certifications, and reopening or reconsideration, *affected party* (in addition to the Citizenship and Immigration Services [CIS]) means the person or entity with legal standing in a proceeding. It does not include the beneficiary of a visa petition.

8 C.F.R. § 103.3(a)(2)(v)(A)(1) states that an appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee CIS has accepted will not be refunded.

The appeal has not been filed by the petitioner, or by any entity with legal standing in the proceeding, but rather by the beneficiary. Therefore, even if the regulations permitted the petitioner to appeal the denial of this petition, the beneficiary would still lack standing to file such an appeal. The beneficiary's lack of standing constitutes an additional ground for rejection of the appeal.

ORDER: The appeal is rejected.