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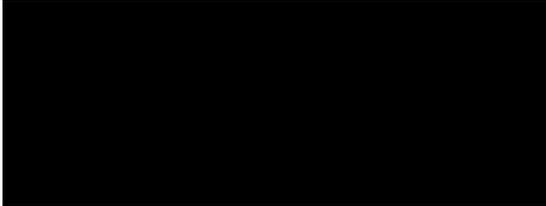
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U.S. Department of Homeland Security  
20 Mass, Rm. A3042, 425 I Street, N.W.  
Washington, DC 20536



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

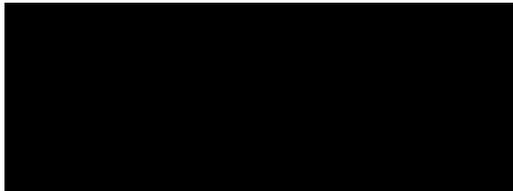


FILE: WAC 01 193 52253 Office: CALIFORNIA SERVICE CENTER Date: **APR 05 2004**

IN RE: Beneficiary: 

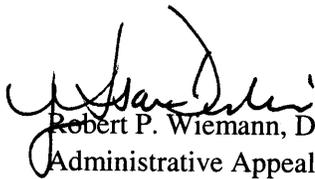
APPLICATION: Application for Change of Nonimmigrant Status Pursuant to 8 C.F.R. § 248.3(a)

ON BEHALF OF APPLICANT:



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, Director  
Administrative Appeals Office

**DISCUSSION:** The Application to Extend/Change Nonimmigrant Status was filed as an application for a change of the applicant's status in the United States to that of an H-4, pursuant to 8 C.F.R. § 248.3(a).

The petition was denied by the Director, California Service Center, who did not advise the applicant whether or not the decision could be appealed to the Administrative Appeals Office (AAO). Counsel for the petitioner subsequently filed an appeal. The appeal will be rejected.

The regulation at 8 C.F.R. § 248.3(g) states:

*Denial of application.* When the application is denied, the applicant shall be notified of the decision and the reasons for the denial. There is no appeal from the denial of the application under this chapter.

The regulation cited above precludes the AAO from considering any appeal that is filed pursuant to the denial of an application to change nonimmigrant status. Accordingly, the appeal will be rejected.

**ORDER:** The appeal is rejected.