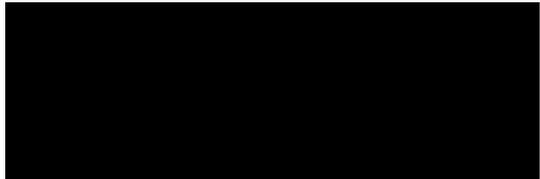




U.S. Citizenship  
and Immigration  
Services



FILE: SRC 03 187 53230 Office: TEXAS SERVICE CENTER Date:

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

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

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.

for Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The service center director denied the nonimmigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The petitioner is an automotive repair shop that seeks to employ the beneficiary as a manager of electrical engineering. The petitioner endeavors to classify the beneficiary as a nonimmigrant worker in a specialty occupation pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(i)(b). The director denied the petition on the basis that the proffered position did not meet the definition of a specialty occupation.

The Form G-28, Entry of Appearance as Attorney or Representative, that was submitted in conjunction with the appeal was signed by a [REDACTED] who identified herself on the form as “a freelance paralegal” who “help[s] with translations, marketing, employment and Immigration Serv.” The letter that [REDACTED] submitted with the appeal indicates that she is the president of Bramlan International Immigration and Marketing Services (BIIMS).

The Citizenship and Immigration Services (CIS) regulation at 8 C.F.R. § 103.2(a)(3) specifies that a petitioner may be represented “by an attorney in the United States, as defined in § 1.1(f) of this chapter [8 C.F.R. § 1.1(f)], by an attorney outside the United States as defined in § 292.1(a)(6) of this chapter [8 C.F.R. § 292.1(a)(6)], or by an accredited representative as defined in § 292.1(a)(4) of this chapter [8 C.F.R. § 292.1(a)(4)].” Pursuant to 8 C.F.R. §§ 292.1(a)(4) and 292.2(a), an accredited representative is a person that the Board of Immigration Appeals (BIA) has accredited to represent a particular “non-profit religious, charitable, social service, or similar organization established in the United States” that the BIA has recognized as an organization which may provide accredited representatives. Paralegals are not included among these three types of persons.

Clearly [REDACTED] is not attempting to enter an appearance as an attorney, and there is no evidence that she has been accredited by the BIA as a representative of a BIA-recognized organization, or, for that matter, that her firm, BIIMS, has been recognized by the BIA as a non-profit religious, charitable, social service, or similar organization that is qualified to provide accredited representatives.

CIS regulations specifically state that an appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. 8 C.F.R. § 103.3(a)(2)(v)(A)(I). Here, the person who filed the appeal was not an entitled to do so. 8 C.F.R. § 103.2(3). Accordingly, the AAO will reject the appeal pursuant to 8 C.F.R. § 103.3(a)(2)(v)(A)(I).

**ORDER:** The appeal is rejected.