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U.S. Citizenship
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FILE: WAC 04 252 50695 Office: CALIFORNIA SERVICE CENTER Date: JAN 24 2007

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

PETITION: Petition for a Nonimmigrant Worker 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)

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 of the California Service Center denied the nonimmigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected as improperly filed.

The petitioner is a skilled nursing and rehabilitation facility, with 100 employees. It seeks to hire the beneficiary as a coordinator for patient support services, health information and medical records. The director denied the petition because he determined that the record did not establish the proffered position as a specialty occupation.

The record of proceeding on appeal contains a Form G-28, Notice of Entry of Appearance as Attorney or Representative, authorizing [REDACTED] of [REDACTED] Corporation in Artesia, California to represent the petitioner in “the screening, hiring and processing of applicant[s] for their healthcare and healthcare related position[s].” In that capacity, Mr. [REDACTED] has submitted the Form I-290B, Notice of Appeal to the Administrative Appeals Office, appealing the director’s decision.

Mr. [REDACTED] is not, however, eligible to practice before Citizenship and Immigration Services (CIS). Only attorneys or the accredited representative of organizations recognized and accredited by the Board of Immigration Appeals, as defined at 8 C.F.R. §§ 103.2 and 292.1(a)(4), may represent petitioners or applicants in immigration proceedings. The regulations do not permit immigration services providers or consultants, like Mr. [REDACTED] to appear as representatives before CIS.

Pursuant to the regulation at 8 C.F.R. § 103.3(a)(2)(v), an appeal filed by an individual not entitled to file it must be rejected as improperly filed. Mr. [REDACTED] is an individual who is not entitled to file an appeal. Accordingly, the appeal in this case will be rejected as improperly filed.

ORDER: The appeal is rejected.