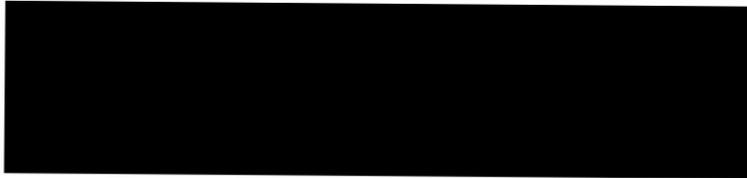


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U.S. Citizenship  
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FILE: SRC 06 053 53531 Office: TEXAS SERVICE CENTER Date: **JUL 27 2006**

IN RE: Petitioner: [Redacted]  
Beneficiaries: [Redacted]

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

A handwritten signature in cursive script, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The nonimmigrant visa petition was denied by the Director, Texas Service Center. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be rejected.

The petitioner is a mobile carnival company. It desires to employ the beneficiaries for nine months as ride assemblers, dismantlers, and operators pursuant to section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(H)(ii)(b). The director determined that the petitioner failed to provide a temporary labor certification from the Department of Labor (DOL).

The notice of appeal (Form I-290B), received on February 1, 2006, was filed by [REDACTED] the president of [REDACTED]. The record does not establish that [REDACTED] is qualified to represent the petitioner under any of the criteria enumerated in the regulation at 8 C.F.R. § 292.1. As [REDACTED] is not a qualified representative, he does not have legal standing in the instant proceeding and is not authorized to file an appeal. See 8 C.F.R. § 103.3(a)(1)(iii)(B). Accordingly, the appeal must be rejected pursuant to 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

**ORDER:** The appeal is rejected.