



U.S. Citizenship  
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FILE: SRC 06 056 52779 Office: TEXAS SERVICE CENTER Date: **JUN 26 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.

Robert P. Wiemann, Chief  
Administrative Appeals Office

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

The petitioner is a construction company. It desires to employ the beneficiaries as construction laborers pursuant to section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(H)(ii)(b) for 11 months. The Department of Labor (DOL) determined that a temporary certification by the Secretary of Labor could not be made because the petitioner had not established a temporary need for the beneficiaries' services. The director agreed with the DOL and determined that the petitioner had not established that the need for the beneficiaries' services is temporary and denied the petition. The matter is now before the AAO on appeal.

Upon review, it is noted that the petition and the appeal were prepared by an immigration service provider.<sup>1</sup> Although the petition is accompanied by a Form G-28, Notice of Entry of Appearance by an Attorney or Representative, the immigration service provider has not established that it is a licensed attorney or an accredited representative authorized to undertake representations on the petitioner's behalf. *See* 8 C.F.R. § 292.1. Accordingly, the assertions of the immigration service provider will not be considered in this proceeding.

As the appeal was improperly filed, the appeal must be rejected.

**ORDER:** The appeal is rejected.

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<sup>1</sup> The petition and the appeal were signed by Maria Edwards of the organization Hispanic Connection, Inc. A review of the *Recognized Organizations and Accredited Representatives Roster*, dated May 4, 2006, of the Department of Justice's Executive Office for Immigration Review, at <http://www.usdoj.gov/eoir/statspub/AC30405.pdf>, does not find Hispanic Connection, Inc. or Maria Edwards listed as a recognized organization or an accredited representative.