



U.S. Citizenship
and Immigration
Services

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File: [REDACTED] Office: TEXAS SERVICE CENTER Date:

IN RE: Petitioner: [REDACTED]

Beneficiary: [REDACTED]

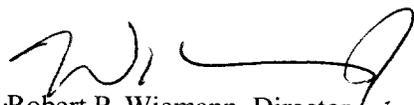
Petition: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(L) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L)

IN 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, Director
Administrative Appeals Office

DISCUSSION: The Director, Texas Service Center, denied the nonimmigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected pursuant to 8 C.F.R. § 103.3(a)(2)(v)(A).

The petitioner is operating a Days Inn Motel and is engaged in building hotels and motels. It seeks to extend the employment of the beneficiary as its president, and has petitioned to classify the beneficiary as an L-1A nonimmigrant intracompany transferee pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L). The director denied the petition after determining that the record failed to demonstrate the existence of a qualifying relationship between the foreign and U.S. entities, and failed to establish that the beneficiary was employed abroad and would be employed by the U.S. entity in a primarily managerial or executive capacity.

The Form G-28, Entry of Appearance as Attorney or Representative, that was submitted for the record was signed by the beneficiary, not by an authorized representative of the petitioner. Additionally, counsel indicates on Forms G-28 and I-290B, Notice of Appeal to the Administrative Appeals Unit, that he is representing the beneficiary in the present appeal. Citizenship and Immigration Services (CIS) regulations specifically prohibit a beneficiary of a visa petition, or a representative acting on a beneficiary's behalf, from filing a petition; the beneficiary of a visa petition is not a recognized party in a proceeding. 8 C.F.R. § 103.2(a)(3). As the beneficiary is not a recognized party, counsel is not authorized to file an appeal. 8 C.F.R. § 103.3(a)(1)(iii)(B).

As the appeal was not properly filed, it will be rejected. 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

ORDER: The appeal is rejected.