



U.S. Citizenship
and Immigration
Services

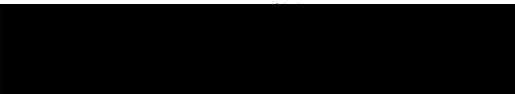
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File: WAC 02 151 52433 Office: CALIFORNIA SERVICE CENTER Date:

APR 31 2004

IN RE: Petitioner:
Beneficiary



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-PETITIONER

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, California 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 engaged in the production and distribution of Spanish television programs. It seeks to employ the beneficiary as its vice-president, and 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 petitioner failed to demonstrate that the beneficiary would be employed by the U.S. entity in a primarily managerial or executive capacity.

The Form I-290B that was submitted on appeal was completed and signed by the beneficiary. Additionally, the beneficiary noted:

I am officially requesting to be authorized to work legally in the U.S. For this reason we are requesting a visa L-1 because I need to be able to travel freely out [of] the country in [sic] as a representative of the [corporation].

The beneficiary also signed her name at the end of her statement on 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, the beneficiary 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.