

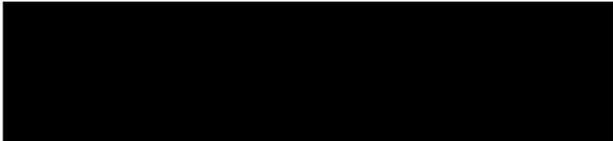
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U.S. Department of Homeland Security
20 Massachusetts Ave., N.W., Rm. A3000
Washington, DC 20529



**U.S. Citizenship
and Immigration
Services**

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File: WAC 04 203 53249 Office: CALIFORNIA SERVICE CENTER Date: **AUG 03 2007**

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-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 black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Director, California Service Center, denied the petition for a nonimmigrant visa. 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)(1).

The petitioner filed this nonimmigrant petition seeking to employ the beneficiary in the position of "owner" as an L-1B nonimmigrant intracompany transferee having specialized knowledge pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L). The petitioner, a corporation formed under the laws of the State of New Jersey, claims to be a travel agency. The director denied the petition concluding that the petitioner failed to establish that the beneficiary will be employed in a position involving specialized knowledge.

An appeal was subsequently filed. The director declined to treat the appeal as a motion and forwarded the appeal to the AAO for review.

The record shows that [REDACTED] filed the instant appeal on behalf of the petitioner as a representative and that she signed the Form I-290B. [REDACTED] previously signed and submitted a Form G-28, Notice of Entry of Appearance as Attorney or Representative, with the initial petition. However, the record does not indicate that [REDACTED] is an attorney or authorized representative. To the contrary, [REDACTED] signed the Form G-28 as "company representative in immigration matters" in Box #4. [REDACTED] does not appear to be an employee of the petitioner nor an attorney.

The regulation at 8 C.F.R. § 103.2(a)(3) specifies that a petitioner may be represented "by an attorney in the United States, as defined in § 1.1(f) of this chapter, by an attorney outside the United States as defined in § 292.1(a)(6) of this chapter, or by an accredited representative as defined in § 292.1(a)(4) of this chapter." 8 C.F.R. § 292.1(a)(3) also permits reputable individuals to represent a petitioner in certain circumstances. An accredited representative is defined in 8 C.F.R. § 292.1(a)(4) as a representative of an organization described in 8 C.F.R. § 292.2, which, in turn, states that only non-profit religious, charitable, social service, or similar organizations recognized by the Board of Immigration Appeals may be so classified.

In this case, the record fails to establish that [REDACTED] falls within any of the categories of representatives authorized by the regulations to file an appeal on behalf of the petitioner, and the appeal must be rejected. "An appeal filed by a person or entity not entitled to file it must be rejected as improperly filed." 8 C.F.R. § 103.3(a)(2)(v).

Therefore, as [REDACTED] is not entitled and not authorized to represent the petitioner in this matter, the appeal must be rejected as improperly filed.¹

ORDER: The appeal is rejected.

¹It is noted for the record that the brief which was submitted with the instant appeal indicates that it was filed [REDACTED] Courts have considered the use of "esquire" by non-attorneys in the context of actions addressing the unauthorized practice of law. See *In re Wagner*, 241 B.R. 112 (E.D. Pa. 1999).