**U.S. Department of Homeland Security**
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20529

D-7

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

[redacted]

File: WAC 98 118 52424 Office: CALIFORNIA SERVICE CENTER Date: AUG 03 2004

IN RE: Petitioner: [redacted]
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)

ON BEHALF OF PETITIONER:

[redacted]

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

PUBLIC COPY

**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.

The petitioner is an import and export business that seeks to extend the beneficiary's stay as a 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).

Noting that the record was deficient, on June 22, 1998, the director requested additional evidence in support of the petition and gave the petitioner 12 weeks to respond. On October 19, 1998, or 17 weeks after the notice was issued, the petitioner responded to the director's request for additional evidence. However, in accordance with the regulations, the director gave the petitioner 12 weeks to respond to a request for evidence. Additional time to respond to a request for evidence may not be granted. *See* 8 C.F.R. § 103.2(b)(8). After the petitioner failed to submit the requested evidence in a timely manner, the director denied the petition for abandonment, pursuant to 8 C.F.R. § 103.2(b)(15).

The director denied the petition on November 16, 1998. On December 21, 1998, counsel for the petitioner filed an appeal seeking review of the director's decision. It is noted that the director incorrectly informed the petitioner that it may file an appeal. However, the director's mistake does not and cannot supersede the regulations.

The regulations provide that no appeal lies from the denial of a petition for abandonment. 8 C.F.R. § 103.2(b)(15). As there is no appeal from the director's denial, the petitioner's appeal must be rejected.

**ORDER:** The appeal is rejected.