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

U.S. Citizenship and Immigration Services

[redacted]

JUN 2 9 2004

FILE: SRC 02 174 52929 Office: TEXAS SERVICE CENTER Date:

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:

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

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identifying data deleted to prevent clearly unwarranted invasion of personal privacy

DISCUSSION: The Director, Texas 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).

The petitioner is a publisher, and seeks to employ the beneficiary as a manager of sales and distribution. The director denied the petition on the basis that the beneficiary would not be employed in the U.S. entity in a primarily managerial or executive capacity and that the petitioning organization is not doing business in the United States.

The Form I-290B, Notice of Appeal to the Administrative Appeals Unit, that was submitted with the appeal was signed by an unidentified person, [redacted] Citizenship and Immigration Services (CIS) regulations specifically prohibit an unaccredited representative of the petitioner, as defined in the regulation at § 292.1(A)(4), from filing a petition. 8 C.F.R. § 103.2(a)(3). Nor is the beneficiary of a visa petition a recognized party in a proceeding. *Id.* The individual filing the present appeal is not the petitioner's attorney or an accredited representative. Furthermore, the record of proceeding does not contain the Form G-28, Entry of Appearance as Attorney or Representative, identifying a representative of the petitioner. 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.