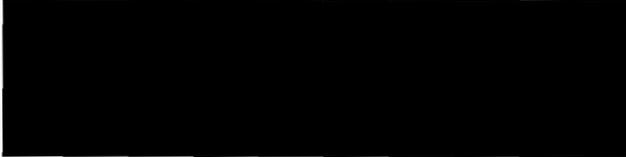




U.S. Citizenship
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Services

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File: SRC 02 046 53295 Office: TEXAS SERVICE CENTER Date: **OCT 23 2006**

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:



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, Chief
Administrative Appeals Office

DISCUSSION: The Director, Texas Service Center, denied the petition for a nonimmigrant visa. The Administrative Appeals Office (AAO) dismissed the subsequently filed appeal and affirmed the director's decision to deny the petition. The petitioner filed a motion to reconsider. The AAO dismissed the motion on June 13, 2005. On July 18, 2005, the petitioner appealed the AAO's dismissal of the motion to the AAO. The appeal will be rejected.

The petitioner filed this nonimmigrant visa petition seeking to extend its authorization to employ 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 petitioner is a corporation organized under the laws of the State of Florida and is allegedly an import/export business. The petitioner claims a qualifying relationship with [REDACTED] of Venezuela. The beneficiary was initially approved for L-1A status for one year to open a new office in the United States, and the petitioner now seeks to extend the beneficiary's stay.

The regulation at 8 C.F.R. § 103.5(a)(6) states that a decision by a director on a motion to reopen or reconsider may be appealed to the AAO only if the original decision was appealable to the AAO. In this matter, the decision on the motion in question was made by the AAO, not by the director. As an appeal from a decision by the AAO on a motion is not identified in 8 C.F.R. § 103.5 and is not listed as an appealable decision elsewhere in the regulations, the appeal must be rejected. *See* 8 C.F.R. § 103.3.

ORDER: The appeal is rejected.