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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals, MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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File: EAC 08 136 52190 Office: VERMONT SERVICE CENTER Date:

NOV 23 2009

IN RE: Applicants:

Application: Application to Extend Status as Spouse or Child of a Nonimmigrant Worker Pursuant to
8 C.F.R. § 214.2(l)(15)(ii)

ON BEHALF OF APPLICANTS:

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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The Director, Vermont Service Center, denied the application for an extension of nonimmigrant status. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The applicants filed the application seeking to extend their period of stay as the nonimmigrant spouse and minor children of an L-1 intracompany transferee pursuant to 8 C.F.R. § 214.2(l)(15)(ii). On November 21, 2008, the director notified the principal applicant of the denial of her application for extension of stay filed on Form I-539, as her spouse's L-1A classification nonimmigrant petition had been denied on that date.

The principal applicant, through counsel, filed a Form I-290B, Notice of Appeal or Motion, in an attempt to appeal the decision of the director. On appeal, counsel asserts that the application should have been approved, as the record sufficiently demonstrates that the applicant's spouse is qualified for the extension of status sought in L-1A classification.

It is noted that 8 C.F.R. § 214.1(c)(5) states that there is no appeal from the denial of an application for extension of stay filed on Form I-129 or Form I-539. Accordingly, the applicants' appeal must be rejected.

ORDER: The appeal is rejected.