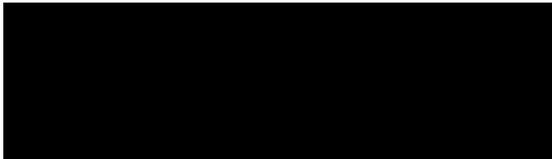


PUBLIC COPY

Administrative Review Unit decided to
deny the petition for the
petitioner of government property



U.S. Citizenship
and Immigration
Services

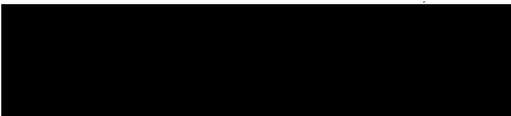


DM

FEB 15 2006

FILE: EAC 02 077 52417 OFFICE: VERMONT SERVICE CENTER DATE:

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, Director
Administrative Appeals Office

DISCUSSION: The Director of the Vermont Service Center denied the petition for a nonimmigrant visa and dismissed a subsequent appeal, affirming its decision on a motion to reopen. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The petitioner seeks to temporarily employ the beneficiary in the United States 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 director denied the petition based on the conclusion that the petitioner failed to establish that the beneficiary would be employed in a primarily managerial or executive capacity.

The appeal is filed by the *beneficiary*. The regulations, however, preclude the beneficiary as a party to the proceeding or as one entitled to representation. *See* 8 C.F.R. § 103.2(a)(3). It is concluded, therefore, that the party submitting the appeal has no standing in the proceeding. 8 C.F.R. § 103.3(a)(2)(v)(A).

ORDER: The appeal is rejected.