

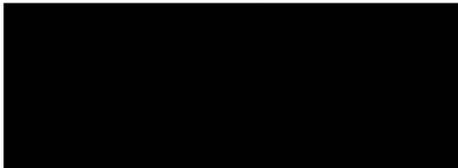
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U.S. Citizenship
and Immigration
Services

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File: WAC 02 064 56001 Office: CALIFORNIA SERVICE CENTER Date: JUL 14 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:

SELF-REPRESENTED

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Director of the California Service Center denied the nonimmigrant visa petition and 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)(1).

The petitioner is ██████████ U.S.A., Inc., a California corporation.¹ This is an "initial new office" petition. The petitioner seeks to employ the beneficiary as an executive branch manager of a printing company, and has petitioned to classify 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 director denied the petition after concluding that "the evidence fails to establish that the petitioner meets the requirements as defined by 8 C.F.R. § 214.2(l)(3)(v)."

The Form G-28, Entry of Appearance as Attorney or Representative, dated June 25, 2002, that was submitted for the record was signed by the beneficiary (identified in the G-28 as "applicant"), not by an authorized representative of the petitioner. Moreover, the I-290B that was submitted also clearly states that the attorney is acting on behalf of the beneficiary, ██████████ and not on behalf of the Petitioner, ██████████ Inc. The G-28 that was submitted with the original I-129, was also signed by the beneficiary (identified as "applicant"), and not by the petitioner. Citizenship and Immigration Services (CIS) regulations specifically prohibit a beneficiary of a visa petition, or a representative acting on a beneficiary's behalf, from filing a petition; the beneficiary of a visa petition is not a recognized party in a proceeding. 8 C.F.R. § 103.2(a)(3). As the beneficiary and her representative are not recognized parties, counsel is not authorized to file an appeal. 8 C.F.R. § 103.3(a)(1)(iii)(B).

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.

¹ It should be noted that, according to California state corporate records, the petitioner's corporate status in California has been "dissolved." Therefore, as the petitioner has voluntarily elected to wind-up its operations and has completely dissolved its business as a corporation, the company no longer exists and can no longer be considered a legal entity in the United States. Therefore, as this clearly and unequivocally renders the petitioner ineligible for the classification sought, the issues raised on appeal are moot.