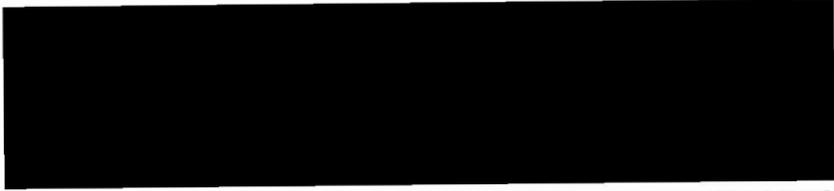




U.S. Citizenship  
and Immigration  
Services

**identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy**

**PUBLIC COPY**



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File: WAC 05 028 51413 Office: CALIFORNIA SERVICE CENTER Date: **OCT 23 2006**

IN RE: Petitioner:  
Beneficiary:

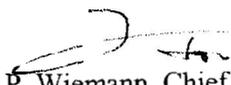


Petition: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(L) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L)

IN BEHALF OF PETITIONER: 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.

  
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).

The petitioner is a corporation engaged in the manufacture, trade, and research of dental instruments. It 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 determining that (1) the beneficiary would not be employed in a primarily managerial or executive capacity; and (2) the petitioner and the foreign entity did not maintain a qualifying relationship as required by the regulations.

The appeal in this matter, submitted on Form I-290B, was prepared and executed by and on behalf of the beneficiary, not by an authorized representative of the petitioner. The appeal specifically states that it is filed by the beneficiary on his own behalf, and there is no indication that he was acting as an authorized representative of the petitioner.<sup>1</sup> 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 is not a recognized party, he 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.

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<sup>1</sup> It is noted for the record that, while the beneficiary does appear to have been an agent for the petitioner in the past, there is no evidence in the record that the beneficiary was legally authorized to sign as a representative on behalf of the petitioner with regard to the appeal before the AAO. Specifically, the appeal clearly limits its arguments to the beneficiary individually, and nowhere is it indicated that the beneficiary signed the form in his capacity as an authorized representative for the petitioner.