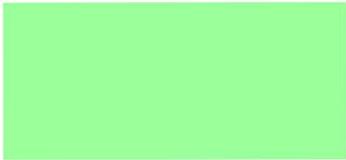




**U.S. Citizenship
and Immigration
Services**

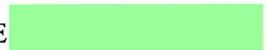
(b)(6)



Date: **MAR 09 2013**

Office: VERMONT SERVICE CENTER

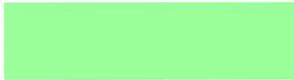
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IN RE:

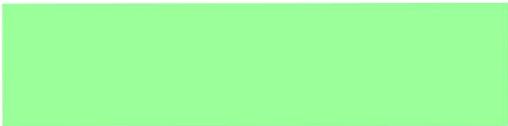
Petitioner:

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)

ON 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.

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg
Acting Chief, Administrative Appeals Office

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

The petitioner seeks to employ the beneficiary as a senior software engineer and has petitioned to classify the beneficiary as an L-1B 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 the petitioner had not established eligibility.

The Form G-28, Entry of Appearance as Attorney or Representative, that was submitted for the record was signed by the beneficiary, not by an authorized representative of the petitioner. U.S. Citizenship and Immigration Services regulations specifically prohibit a beneficiary of a visa petition, or a representative acting on a beneficiary's behalf, from filing a petition. 8 C.F.R. § 103.2(a)(3). The beneficiary of a visa petition is not a recognized party in an appellate proceeding. 8 C.F.R. § 103.3(a)(1)(iii)(B). As the beneficiary is not recognized as the affected party, counsel is not authorized to file an appeal.

As the appeal was not properly filed, it must be rejected pursuant to 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

ORDER: The appeal is rejected.