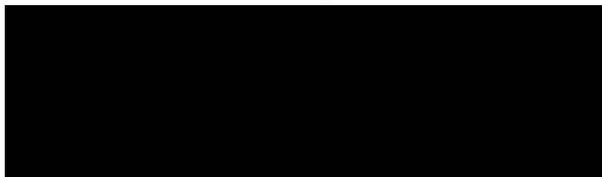




U.S. Citizenship  
and Immigration  
Services

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

PUBLIC COPY



B4

FILE: [REDACTED]  
LIN 07 015 50142

Office: NEBRASKA SERVICE CENTER

Date: DEC 19 2008

IN RE: Petitioner: [REDACTED]  
Beneficiary: [REDACTED]

PETITION: Immigrant Petition for Alien Worker as a Multinational Executive or Manager Pursuant to  
Section 203(b)(1)(C) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(C)

ON 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.

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, as required by 8 C.F.R. 103.5(a)(1)(i).

John F. Grissom, Acting Chief  
Administrative Appeals Office

**DISCUSSION:** The Director, Nebraska Service Center, denied the immigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected as improperly filed.

The regulation at 8 C.F.R. § 103.3(a)(2)(v)(A)(2)(i) states the following:

If an appeal is filed by an attorney or representative without a properly executed Notice of Entry of Appearance as Attorney or Representative (Form G-28) entitling that person to file the appeal, the appeal is considered improperly filed.

In the instant matter, \_\_\_\_\_ filed an appeal as counsel on behalf of the petitioner subsequent to the director's adverse decision with regard to the petitioner's Form I-140. Although the record contains a Form G-28 showing that \_\_\_\_\_ is authorized to undertake representation on behalf of the beneficiary, there is no indication on the same form that counsel is authorized to undertake representation on the petitioner's behalf. The requirement for the submission of a properly executed Form G-28 is expressly stated both in the regulations and in the Form I-290B, Notice of Appeal to the AAO.

The AAO initially reviewed the record of proceeding on December 2, 2008. In light of the fact that the record lacked a properly executed Form G-28 authorizing \_\_\_\_\_ representation of the petitioner, the AAO sent counsel a facsimile informing her of the deficiency and allowing her five days in which to supplement the record accordingly. To date, however, counsel has not responded with the required Form G-28 showing that she is authorized to represent the petitioner in the current proceeding. As such, the AAO concludes that the appeal was improperly filed and must be rejected pursuant to 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

**ORDER:** The appeal is rejected as improperly filed.