



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

**Non-Precedent Decision of the
Administrative Appeals Office**

In Re: 23474220

Date: MAY 15, 2023

Appeal of California Service Center Decision

Form I-129, Petition for a Nonimmigrant Worker (L-1A Manager or Executive)

The Petitioner, a commercial cleaning company, seeks to temporarily employ the Beneficiary as the chief executive officer of its new office under the L-1A nonimmigrant classification for intracompany transferees. See Immigration and Nationality Act (the Act) section 101(a)(15)(L), 8 U.S.C. § 1101(a)(15)(L). The L-1A classification allows a corporation or other legal entity (including its affiliate or subsidiary) to transfer a qualifying foreign employee to the United States to work temporarily in a managerial or executive capacity.

The Director of the California Service Center denied the petition, concluding the record did not establish that the Petitioner had a qualifying relationship with the Beneficiary's foreign employer. The Director also determined the Petitioner did not demonstrate that the Beneficiary would be employed in a managerial or executive capacity within one year of an approval of the petition. The matter is now before us on appeal. 8 C.F.R. § 103.3. Upon de novo review, we will reject the appeal.

On appeal, the Petitioner discusses the Director's concurrent denial of the change of status request filed on behalf of the Beneficiary with the Form I-129, Petition for a Nonimmigrant Worker requesting approval of a L-1A nonimmigrant classification for an intracompany transferee. For instance, in part 7, item 3.d of the Form I-290B, Notice of Appeal or Motion, the Petitioner states "the change of status requested on behalf of [the Beneficiary] was denied, but the notice does not have any reason for denial." Likewise, in the accompanying appeal brief, the Petitioner again refers to the Director's denial of the concurrent change of status request filed on behalf of the Beneficiary, contending it does not include a basis for denial.¹

However, we have no jurisdiction over denials of change of status requests. *See* 8 C.F.R. § 248.3(g) (providing no appeal for denied change of status applications). Further, the Petitioner's appeal ignores a concurrent decision, issued by the Director on the same date as the decision denying the change of status request, denying its L-1A intracompany transferee petition filed on behalf of the Beneficiary. This decision includes bases for denial that the Petitioner has not sufficiently addressed on appeal.²

¹ We note that this decision does refer to the denial of the nonimmigrant L-1A petition filed on behalf of the Beneficiary.

² An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal. 8 C.F.R. § 103.3(a)(1)(v).

Regardless, as we have no jurisdiction over the denial of the concurrent change of status request filed with the L-1A intracompany transferee petition, we must reject the appeal.

ORDER: The appeal is rejected.