

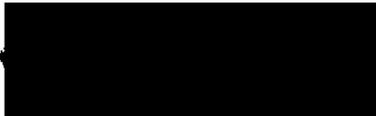


U.S. Department of Justice

Immigration and Naturalization Service



OFFICE OF ADMINISTRATIVE APPEALS  
425 Eye Street N.W.  
ULLB, 3rd Floor  
Washington, D.C. 20536



Public Copy

File: WAC 98 241 52078 Office: California Service Center

Date: APR 12 2000

IN RE: Petitioner: [Redacted]  
Applicant: [Redacted]

Application: Application for Change of Nonimmigrant Status Pursuant to 8 C.F.R. 248.3(a)

IN BEHALF OF APPLICANT:



Identifying case information  
prevent clearly unmerited  
invasion of personal privacy

INSTRUCTIONS:

This is the decision in your case. All documents have been returned to the office which originally decided your case. Any further inquiry must be made to that office.

FOR THE ASSOCIATE COMMISSIONER,  
EXAMINATIONS

Terrance M. O'Reilly, Director  
Administrative Appeals Office

**DISCUSSION:** The petition for a nonimmigrant worker was filed as an application for a change of the applicant's status in the United States to that of an E-2 Treaty Investor, pursuant to 8 C.F.R. 248.3(a).

The petition was denied by the Director, California Service Center, who incorrectly advised the applicant that the decision could be appealed to the Associate Commissioner for Examinations. The appeal will be rejected.

The regulation at 8 C.F.R. 248.3(g) states:

*Denial of application.* When the application is denied, the applicant shall be notified of the decision and the reasons for the denial. There is no appeal from the denial of the application under this chapter.

**ORDER:** The appeal is rejected.