



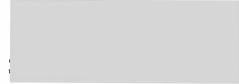
U.S. Citizenship
and Immigration
Services

(b)(6)



DATE: OFFICE: TEXAS SERVICE CENTER FILE:

MAY 19 2015



IN RE: Petitioner:
Beneficiary:



PETITION: Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case.

If you believe we incorrectly decided your case, you may file a motion requesting us to reconsider our decision and/or reopen the proceeding. The requirements for motions are located at 8 C.F.R. § 103.5. Motions must be filed on a Notice of Appeal or Motion (Form I-290B) **within 33 days of the date of this decision**. The Form I-290B web page (www.uscis.gov/i-290b) contains the latest information on fee, filing location, and other requirements. **Please do not mail any motions directly to the AAO.**

Thank you,

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, Texas Service Center (the director) denied the immigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner requests classification of the beneficiary as an advanced degree professional pursuant to section 203(b)(2) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(2). The director determined that the petitioner did not establish that the beneficiary met the minimum educational and experience requirements of the labor certification. The director also determined that the petitioner did not establish that it had the ability to pay the proffered wage.

The petitioner dated the appeal February 23, 2015. The petitioner indicated that it would file a brief and/or additional evidence with our office within thirty days. As of this date, more than 60 days later, we have received nothing further, and the regulation requires that any brief and/or additional evidence shall be submitted directly to us. 8 C.F.R. §§ 103.3(a)(2)(vii) and (viii). The petitioner did not submit the required statement identifying an erroneous conclusion of law or fact in the director's decision with the Form I-290B, Notice of Appeal or Motion.¹

As stated in 8 C.F.R. § 103.3(a)(1)(v), an appeal shall be summarily dismissed if the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

The petitioner here has not specifically addressed the reasons stated for denial and has not provided any additional evidence. It has not even expressed disagreement with the director's decision. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.

¹ Part 4 of the Form I-290B requires that the appellant provide a statement regarding the basis for the appeal that identifies an erroneous conclusion of law or fact. No such statement was included with the instant appeal.