U.S. Department of Homeland Security
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Washington, DC 20529

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U.S. Citizenship and Immigration Services

[redacted]

FILE: [redacted] Office: VERMONT SERVICE CENTER Date: AUG 0 4 2004

IN RE: Petitioner: [redacted]
Beneficiary:

PETITION: Immigrant Petition for Alien Worker as an Alien of Extraordinary Ability Pursuant to Section 203(b)(1)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(A)

ON BEHALF OF PETITIONER:

[redacted]

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.

Robert P. Wiemann, Director
Administrative Appeals Office

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identifying data deleted to prevent clearly unwarranted invasion of personal privacy

DISCUSSION: The employment based immigrant visa petition was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner seeks classification as an employment-based immigrant pursuant to section 203(b)(1)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A), as an alien of extraordinary ability in the arts. The director determined the petitioner had not established that he qualifies for classification as an alien of extraordinary ability.

On appeal, counsel states:

> [The] petitioner has clearly satisfied, and indeed exceeded the evidentiary criteria necessary to document extraordinary ability classification under INA 203(b)(1)(A). Dismissal of the extensive supporting testimony as biased and emanating from former mentors or employers is factually inaccurate and unauthorized by applicable regulations.

In regard to the letters of support, the director's decision stated:

> In support of the petition, you have provided a number of letters. With one exception, these letters are from former teachers or employers of the [petitioner], and are therefore of limited evidentiary value. Further, while the letters state that the beneficiary is...talented, none of the letters address the ten types of evidence listed [at 8 C.F.R. § 204.5(h)(3)].

Counsel asserts that the petitioner "has clearly satisfied...the evidentiary criteria," but he does not specifically identify the three criteria at 8 C.F.R. § 204.5(h)(3) that the petitioner has fulfilled. Nor does counsel cite specific evidence that would establish that the director's conclusion regarding the witness letters is "factually inaccurate." We note here that section 203(b)(1)(A)(i) of the Act requires extensive documentation of sustained national or international acclaim. Therefore, we concur with the director's finding that evidence pertaining to the regulatory criteria is of greater weight than witness letters prepared for submission with the petition. An individual with sustained national or international acclaim should be able to produce ample unsolicited materials reflecting that acclaim.

Counsel further states: "Rejection of extensive documentary evidence, comprising reviews of the petitioner's internationally recognized work is inappropriate as this evidence abundantly confirms his stature." Again, counsel does not cite specific evidence, nor does he specifically challenge the director's observation that the petitioner is not the primary subject of the newspaper articles. Moreover, considering it is hardly unusual for local newspapers to print reviews of local performances, such reviews are not adequate to establish sustained national or international acclaim.

Counsel indicated that a brief and/or evidence would be submitted to the AAO within thirty days. Counsel dated the appeal November 12, 2003. As of this date, more than eight months later, the AAO has received nothing further.

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 has not specifically addressed the reasons stated for denial and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.