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U.S. Citizenship  
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FILE: [REDACTED]  
WAC 01 243 58454

Office: CALIFORNIA SERVICE CENTER

Date: **AUG 11 2005**

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

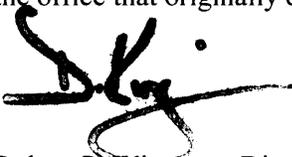
PETITION: Immigrant Petition for Alien Worker as an Alien of Extraordinary Ability Pursuant to Section 203(b)(1)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(A)

ON BEHALF OF PETITIONER:



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

**DISCUSSION:** The Director, California Service Center, initially approved the employment-based immigrant visa petition. Upon further review, the director determined that the petition had been approved in error. The director properly served the petitioner with a notice of intent to revoke, and subsequently revoked the approval of the petition. The matter is now before the Administrative Appeals Office on appeal. The appeal will be 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 that the petitioner had not established the sustained national or international acclaim requisite to classification as an alien of extraordinary ability and revoked the approval of the petition.

Section 205 of the Act, 8 U.S.C. § 1155, provides that “[t]he Secretary of Homeland Security may, at any time, for what he deems to be good and sufficient cause, revoke the approval of any petition approved by him under section 1154 of this title.” A director may revoke the approval of a petition on notice “when the necessity for the revocation comes to the attention of this Service.”

On appeal, counsel merely stated, “The District Director, erred as a matter of law in revoking the approval of the self-petitioning I-140. It is appellant’s contention that the evidence submitted in support of the I-140 and I-485 applications established that he is an alien of extraordinary ability as defined under section 203(b)(1)(A) of the Immigration and Nationality Act.” Counsel requested 90 days to submit a brief and/or additional evidence in support of the appeal. Counsel dated the appeal December 28, 2004. As of this date, over seven months later, the AAO has received no brief or additional evidence from the petitioner or his counsel. On July 21, 2005, the AAO received a signed statement from counsel indicating that she did not file a brief or evidence in support of this appeal as she indicated on the Form I-290B.

Pursuant to the regulation at 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. Counsel here has not specifically addressed the reasons stated for revocation or submitted any additional evidence. Because counsel has not identified any error of law or fact contained in the director’s decision, the appeal must be summarily dismissed.

**ORDER:** The appeal is dismissed.