



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
LIN 05 130 51029

Office: NEBRASKA SERVICE CENTER

Date: DEC 21 2006

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.

Mai Johnson

2 Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, Nebraska Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected as improperly filed.

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. The director determined the petitioner had not established the sustained national or international acclaim necessary to qualify for classification as an alien of extraordinary ability.

In order to properly file an appeal, the regulation at 8 C.F.R. § 103.3(a)(2)(i) provides that the affected party must file the appeal on Form I-290B, Notice of Appeal. The regulation at 8 C.F.R. § 103.2(a)(7) states: “An application or petition which is not properly signed or is submitted with the wrong filing fee shall be rejected as improperly filed. Rejected applications and petitions...will not retain a filing date.”

The record indicates that the director issued the decision on January 24, 2006. The petitioner submitted the Form I-290B, Notice of Appeal, on February 23, 2006. The appeal cannot be accepted, however, because it has not been signed.

As the appeal was not properly signed, the appeal must be rejected.

ORDER: The appeal is rejected.