



U.S. Citizenship  
and Immigration  
Services

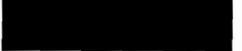
identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

**PUBLIC COPY**

B2



FILE:



Office: NEBRASKA SERVICE CENTER

Date: JUN 29 2006

LIN 04 250 52333

IN RE:

Petitioner:

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:



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.

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 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 athletics. 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.

On appeal, counsel states: “The I-140 (EB-1) Extraordinary Ability Petition was denied based on an erroneous finding that the initial and additional evidence submitted did not establish that the petitioner enjoys the sustained national and international acclaim necessary for this restrictive visa classification.”

The appellate submission was unaccompanied by arguments or evidence addressing the pertinent regulatory criteria at 8 C.F.R. § 204.5(h)(3).

The appeal was filed on October 4, 2005. The petitioner indicated that a brief and/or evidence would be submitted to the AAO within 120 days. In a letter accompanying the appeal, counsel states: “Please give us a 120-day extension to consult with experts and/or to prepare and submit additional evidence based on expert affidavits on how the I-140 self petitioner qualifies for EB-1 extraordinary ability classification.”

As of this date, more than eight months later, the AAO has received no appellate brief or further evidence.<sup>1</sup>

In this matter, we find that the director’s decision provided a thorough discussion of the evidence presented by the petitioner and correctly identified the deficiencies in the record as they relate to the regulatory criteria at 8 C.F.R. § 204.5(h)(3).

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.

---

<sup>1</sup> On June 9, 2006, the AAO received a facsimile from counsel stating: “A brief and/or evidence were not filed directly with the AAO within the period indicated on the Form I-290B. We opted to rely on the original evidence as the basis for our appeal.”