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**U.S. Citizenship  
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Services**

**PUBLIC COPY**



FILE: EAC 02 244 51547 Office: VERMONT SERVICE CENTER Date: **MAR 28 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:  
[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.

A handwritten signature in cursive script that reads "Mai Johnson".

 Robert P. Wiemann, Director  
Administrative Appeals Office

**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 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 denied the petition on February 7, 2005. Counsel filed an appeal on March 26, 2005. The director rejected the appeal as untimely filed pursuant to the regulation at 8 C.F.R. § 103.3(a)(2)(i). The director treated the untimely appeal as a motion to reconsider pursuant to the regulation at 8 C.F.R. § 103.3(a)(2)(v)(A)(2), affirmed his previous decision and again denied the petition on May 17, 2005. The petitioner timely filed an appeal on May 31, 2005.

On appeal, counsel submits a brief, which, except for the dates of his signature and the director's decision, repeats verbatim the text of the brief he submitted with his untimely appeal of the director's February 7, 2005 decision initially denying the petition. Counsel submits no additional evidence and does not state any specific reasons for appeal of the director's May 17, 2005 decision.

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. Counsel here has not specifically addressed the stated reasons for denial in the director's May 17, 2005 decision and has identified no errors of law or fact made in that decision. Consequently, the appeal must be summarily dismissed.

**ORDER:** The appeal is dismissed.