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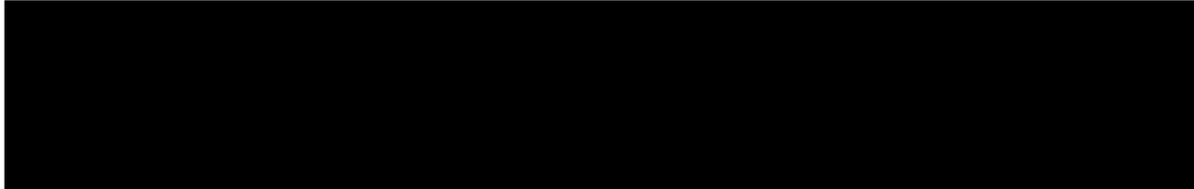
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

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FILE:

SRC 06 197 51930

Office: TEXAS SERVICE CENTER

Date: SEP 14 2007

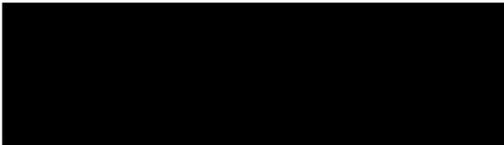
IN RE:

Petitioner:
Beneficiary:



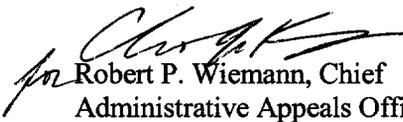
PETITION: Immigrant Petition for Alien Worker as Outstanding Professor or Researcher Pursuant to Section 203(b)(1)(B) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(B)

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, Chief
Administrative Appeals Office

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

The petitioner is an education and research institution. It seeks to classify the beneficiary as an outstanding professor pursuant to section 203(b)(1)(B) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(B). According to the petition, the petitioner seeks to employ the beneficiary in the United States as a senior research associate. While the director requested evidence that the petitioner had offered the beneficiary a qualifying tenure or tenure-track position and reiterated this procedural history in the final denial, the director's sole basis of denial was a determination that the petitioner had not established that the beneficiary is recognized internationally as outstanding in his academic field, as required for classification as an outstanding researcher.

On appeal, counsel merely stated that the most obvious factual error was a determination that the petitioner had not offered the beneficiary a qualifying job and that counsel would submit a brief and/or evidence to the Administrative Appeals Office (AAO) within 30 days providing "[o]ther examples of conclusions inconsistent with the evidence presented."

Counsel dated the appeal May 15, 2007. As of August 23, 2007, more than three months later, the AAO had received nothing further. Thus, on that date, this office contacted counsel by facsimile, advising that we had received no additional materials, inquiring as to whether anything had been submitted and requesting a copy of any additional materials submitted. The facsimile advised that failure to respond to our inquiry within five business days may result in the summary dismissal of the appeal. As of this date, approximately three weeks later, this office has received no response.

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 reasons stated for denial, the one specific allegation of error on appeal was not a basis of the director's decision, and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.