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U.S. Citizenship
and Immigration
Services

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BS

FILE:

SRC 05 800 32882

Office: TEXAS SERVICE CENTER

Date:

MAR 07 2007

IN RE:

Petitioner:

Beneficiary:

PETITION:

Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

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 seeks classification pursuant to section 203(b)(2) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(2), as an alien of exceptional ability or a member of the professions holding an advanced degree. The petitioner seeks employment in health services, providing information wave therapy. The petitioner asserts that an exemption from the requirement of a job offer, and thus of a labor certification, is in the national interest of the United States. The director found that the petitioner had not submitted an evaluation of her foreign degree (the record contains an evaluation submitted after the director's decision and prior to appeal) and that the petitioner had not established that an exemption from the requirement of a job offer would be in the national interest of the United States.

The Form I-290B, Notice of Appeal to the Administrative Appeals Office, indicates both that a brief and supporting evidence are attached and that the petitioner would submit a brief and/or evidence to the Administrative Appeals Office (AAO) within 30 days. The appeal was not, however, submitted with a brief or additional evidence. The petitioner dated the appeal April 20, 2006. As of this date, more than 10 months later, the AAO has received nothing further.

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 and has not provided any additional evidence. She has not even expressed disagreement with the director's decision. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.