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U.S. Department of Homeland Security

Citizenship and Immigration Services

*ADMINISTRATIVE APPEALS OFFICE
CIS, AAO, 20 Mass, 3/F
425 I Street, N.W.
Washington, DC 20536*

File:

Office: PHOENIX, AZ (TUCSON)

Date:

APR 21 2004

IN RE: Petitioner:
Beneficiary:

Petition: Immigrant petition for Alien Worker as a Skilled Worker or Professional pursuant to section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

ON BEHALF OF PETITIONER:

INSTRUCTIONS:

This is the decision 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, Director
Administrative Appeals Office

DISCUSSION: The employment based preference visa petition was initially approved by CIS. In connection with the beneficiary's Application to Register Permanent Residence or Adjust Status (Form I-485), the District Director, Phoenix (Tucson sub-office), served the petitioner with a Notice of Intent to Revoke the underlying visa petition. In a Notice of Revocation, the district director revoked approval of the preference visa petition. The matter is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

On the Form I-290B appeal form, an attorney indicated that she represents the petitioner in this matter. The Form G-28 Notice of Entry of Appearance acknowledging that attorney, however, is not signed by a representative of the petitioner but by the beneficiary. The record contains no indication that the petitioner consented to be represented by that attorney. A previous Form G-28 in the file, signed by the petitioner's representative, acknowledges a different attorney. All representations will be considered, but the decision in this matter will be furnished only to the petitioner and the petitioner's counsel of record.

The petitioner is a travel agency. It seeks to employ the beneficiary permanently in the United States as the manager of its Mexican operations. The director revoked approval of the petition because he determined that the job offer was not *bona fide* and that the beneficiary was not working for the petitioner.

On the Form I-290B appeal in this matter, in the section reserved for the basis of the appeal, the petitioner inserted, "[CIS] wrongly revoked the the [sic] I-140 in this matter [sic]. Sufficient evidence was submitted to justify an apporval [sic] of the adjustment of status applications fiiled [sic] in this case. furthermore, [sic] the additional evidence submitted to [CIS] was sufficient to justify sustaining the I-140 petition in this case."

The petitioner's statement on appeal contains no specific assignment of error. Alleging that the district director erred in some unspecified way is an insufficient basis for an appeal.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

The petitioner has failed to identify specifically an erroneous



conclusion of law or a statement of fact as a basis for the appeal and the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed.