



U.S. Citizenship
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Services

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FILE: [REDACTED] Office: CALIFORNIA SERVICE CENTER Date: DEC 15 2005
WAC 03 144 54796

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

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:

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, Director
Administrative Appeals Office

DISCUSSION: The preference visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner operates a travel agency. It seeks to employ the beneficiary permanently in the United States as a sales manager. The director determined that the petitioner had not established that the beneficiary did not possess on the priority date the minimum education required by the certified Alien Employment Application.¹ The director denied the petition accordingly.

The petitioner submitted a Form I-290B appeal in this matter. The petitioner selected the box stating it was submitting a brief and/or additional evidence within 30 days. Despite the AAO's request to petitioner to submit a brief and/or additional evidence, but none was submitted. The petitioner stated the beneficiary "does in fact" have the educational equivalent of a business administration degree but offers no additional evidence.

Alleging that the director erred in some unspecified way is an insufficient basis for an appeal.

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.

¹ The certified Alien Employment Application required a baccalaureate degree in business administration, but the beneficiary did not have the requisite degree.