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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE: SRC-02-123-52416 Office: TEXAS SERVICE CENTER Date: FEB 07 2005

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.

R. Michael Valdes

Robert P. Wiemann, Director
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 (AAO) on appeal. The appeal will be dismissed.

The petitioner seeks to classify the beneficiary pursuant to section 203(b)(3) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(3) as a skilled worker. The director denied the petition for the following reasons: (1) the petitioner failed to demonstrate a continuing ability to pay the proffered wage beginning on the priority date; (2) no original ETA 750 application for employment certification was ever submitted into the record or proceeding nor documentation to show that the original beneficiary of the Form ETA 750 was ever employed according to its terms; (3) the petitioner did not establish his identity as a legitimate US employer; (4) the record of proceeding includes discrepant information about the employer; and (5) the petitioner failed to establish that the beneficiary was qualified for the proffered position.

On appeal, the petitioner merely indicated that he would submit a brief and/or evidence to the AAO within 30 days.¹

The petitioner dated the appeal April 8, 2003. As of this date, almost two years 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.

The petitioner here has not specifically addressed the reasons stated for denial and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.

¹ A cover letter accompanies the appeal from [REDACTED] (Mr. [REDACTED] of the All American Immigration Association (AAIA) in West Palm Beach, Florida stating that the petitioner "asked [AAIA] to perform research and technical support services," and asked the AAO to forward all notices to Mr. [REDACTED]. A review of recognized organizations and accredited representatives reported in October 2004 by the Executive Office for Immigration Review, does not mention AAIA or Mr. [REDACTED]. Under 8 C.F.R. § 292.1, persons entitled to represent individuals in matters before the Department of Homeland Security ("DHS"), and the Immigration Courts and Board of Immigration Appeals ("Board"), or the DHS alone, include, among others, accredited representatives. Any such representatives must be designated by a qualified organization, as recognized by the Board. A recognized organization must apply to the Board for accreditation of such a representative or representatives. As neither AAIA nor Mr. [REDACTED] are accredited representatives, neither of them will be acknowledged by the AAO and a copy of this decision will not be provided to them. The AAO notes that no Form G-28, Notice of Entry of Appearance as Attorney or Representative, is in the record of proceeding. See 8 C.F.R. § 292, especially § 292.5.