

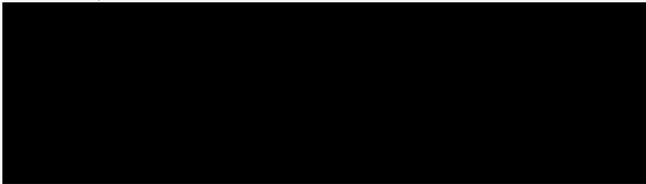
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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Room 3042
Washington, DC 20529



U.S. Citizenship
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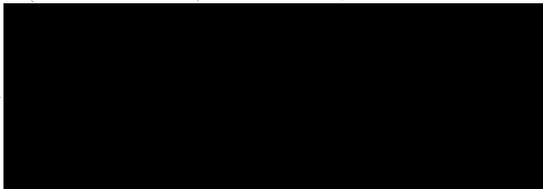
B6

FILE: WAC 02 035 56039 Office: CALIFORNIA SERVICE CENTER Date: JAN 06 2005

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

Petition: Immigrant Petition for Alien Worker as an Other, Unskilled Worker Pursuant to § 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 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 Director, California Service Center, denied the immigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

Section 203(b)(3)(A)(iii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(3)(A)(iii), provides for the granting of preference classification to other qualified immigrants who are capable, at the time of petitioning for classification under this paragraph, of performing unskilled labor, not of a temporary or seasonal nature, for which qualified workers are not available in the United States.

On the appeal received June 16, 2004, the petitioner requests 19 days to submit a brief or other evidence and, separately, states:

Please understand that my vision is unfavorable due to cataract and I am rather slow in searching and processing things as I can not see as well, [sic] for this reason I am schedule for surgery.

I know I can meet the proper documentation if however, [sic] given more time.

Neither the petitioner nor counsel has filed any further brief or evidence with the director or the AAO, and more than the time allowed and requested has elapsed. *See* 8 C.F.R. § 103.3(a)(2)(i) and (viii). The petitioner does not identify, specifically, any erroneous conclusion of law or statement of fact. Hence, the appeal must be summarily dismissed. *See* 8 C.F.R. § 103.3(a)(1)(v).

ORDER: The appeal is summarily dismissed.