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U.S. Citizenship
and Immigration
Services

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JAN 27 2005



FILE:

██████████
WAC 02 234 52440

Office: CALIFORNIA SERVICE CENTER

Date:

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:

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

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The service center director denied the employment-based immigrant visa petition, and the matter is now before the Administrative Appeals Office 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, namely, a paralegal. The director determined that the beneficiary did not have the ability to pay the proffered wage to the beneficiary as of the priority date, and denied the petition.

On appeal, counsel merely stated that he would submit a brief and/or evidence to the Administrative Appeals Office (AAO) within 30 days. Counsel dated the appeal July 18, 2003. As of this date, more than 17 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. Although counsel expresses disagreement with the director's analysis of the financial data, he did not address any specific reasons for this disagreement. Counsel also did not provide any additional evidence with regard to the director's decision. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.