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**U.S. Citizenship
and Immigration
Services**



Bob

JAN 27 2005

FILE:



Office: VERMONT SERVICE CENTER

Date:

EAC 01 114 50769

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 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 employment-based immigrant visa petition was originally approved by the Director, Vermont Service Center. Subsequent to the approval, Citizenship and Immigration Services (CIS) determined that the beneficiary had been denied a Form I-130 Petition for Alien Relative based on a marriage entered for the sole purpose of obtaining immigration benefits. According to the record, the beneficiary's subsequent application to adjust status to that of a lawful permanent resident had also been denied. Based on the denial of the Form I-130 and pursuant to Section 204(c) of the Immigration and Naturalization Act (the Act), on January 28, 2003, the director issued an intent to revoke the petitioner's approved I-140. In response, the petitioner submitted further documentation with regard to the proposed revocation. On May 27, 2003, the director revoked the I-140 petition approval. The matter 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 determined that the petitioner had not overcome the grounds for revocation outlined in the initial letter of proposed revocation, and, accordingly, the director denied the petition.

On appeal, counsel states that he is not submitting a brief and/or evidence to the Administrative Appeals Office (AAO), and that the appeal is based on prior documentation.

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. While counsel states on Form I-290B that the appeal is based on prior documentation, he 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.