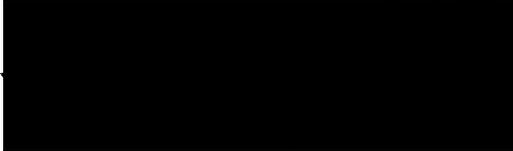


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and Immigration  
Services

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy



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FILE:



Office: NEBRASKA SERVICE CENTER

Date: JUL 26 2005

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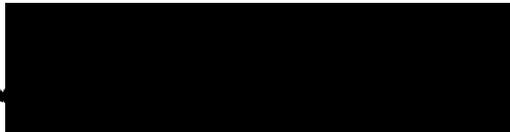
Petitioner:



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 preference visa petition was denied by the Director, Nebraska Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a nursing home. It seeks to employ the beneficiary permanently in the United States as a staff nurse (LPN). As required by statute, a Form ETA 750, Application for Alien Employment Certification approved by the Department of Labor, accompanied the petition.

The director determined that the petitioner had failed to establish that the certified position supported the visa classification sought or had failed to demonstrate its continuing ability to pay the beneficiary the proffered wage, and denied the petition accordingly. On appeal, it is merely asserted that the director was incorrect that a brief will be submitted within thirty days.

The notice of appeal was filed on May 6, 2004 and also indicates that an additional thirty days is needed to submit a brief and/or additional evidence to the AAO. As of this date, however, more than twelve months later, nothing further has been received to the record.

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.

A bare statement that the director's decision is erroneous, without more, does not sufficiently identify a specific conclusion of law or statement of fact upon which a substantive appeal may be filed. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed.