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**U.S. Citizenship
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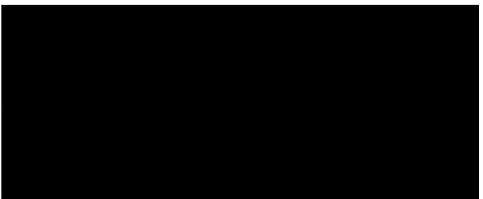
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FILE: [Redacted] LIN 03 232 50187 Office: NEBRASKA SERVICE CENTER Date: JUN 13 2005

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

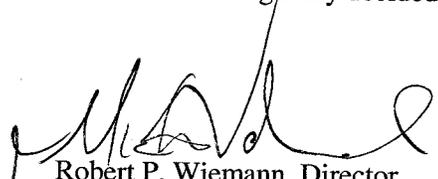
PETITION: Immigrant petition for Alien Worker as a Skilled Worker or Professional pursuant to section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

ON BEHALF OF PETITIONER:



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 denied by the Director, Nebraska Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner is a bakery. 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 specialty baker, Polish style. The director determined that while the taxable income of the petitioner was sufficient to pay the proffered wage, the petitioner had submitted multiple pending I-140 petitions. The director further determined that the petitioner's financial resources were not sufficient to pay all of the proffered wages.

On appeal, counsel stated that the petitioner disagreed with the director's determination of the petitioner's ability to pay the proffered wage. Counsel also stated that a brief and/or evidence would be submitted to the Administrative Appeals Office (AAO) within 30 days.

Counsel dated the appeal March 12, 2004. As of this date, more than 14 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.

Counsel 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.