

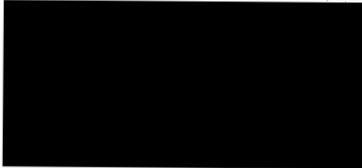


U.S. Citizenship  
and Immigration  
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DEC 11 2006

FILE: WAC 03 182 51717 Office: CALIFORNIA SERVICE CENTER Date:

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, Chief  
Administrative Appeals Office

COPY: [Redacted]

**DISCUSSION:** The preference visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner is a Persian restaurant. It seeks to employ the beneficiary permanently in the United States as a Persian style cook. The director determined that the petitioner had not established that the beneficiary is qualified for the position of cook and that the beneficiary had not met the minimum requirements at the time that the request for certification was filed. The director denied the petition accordingly.

Counsel for the beneficiary submitted a Form I-290B appeal in this matter on April 12, 2005. In the section reserved for the basis of the appeal counsel stated, "Additional evidence to confirm eligibility [sic] for this position." Counsel requested 60 day to submit a brief and/or additional evidence. On October 6, 2006, the AAO requested a brief and/or additional evidence, but only received a request for an additional time extension of three weeks. No brief and/or additional evidence was received by the AAO.

Counsel's statement on appeal contains no specific assignment of error. Alleging that the director erred in some unspecified way is an insufficient basis for an appeal.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part: "An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal."

Counsel has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal and the appeal must be summarily dismissed.

**ORDER:** The appeal is summarily dismissed.