

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

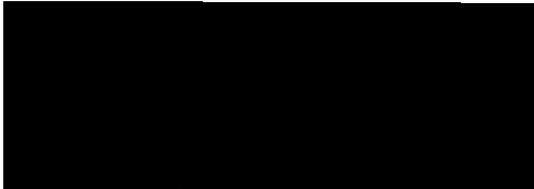
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

B6



FILE:

SRC 05 021 51083

Office: TEXAS SERVICE CENTER

Date: APR 02 2007

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, Chief
Administrative Appeals Office

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

The petitioner is a health care business. It seeks to employ the beneficiary permanently in the United States as a registered nurse. The petitioner asserts that the beneficiary qualifies for blanket labor certification pursuant to 20 C.F.R. § 656.10, commonly referred to as Schedule A, Group I, but no Alien Employment Application (U.S. Department of Labor, Form ETA 750 A/B) was submitted as required by 8 C.F.R. § 204.5(1)(3)(i).

The director determined that the petitioner had not provided additional evidence in response to a request for evidence issued February 22, 2005, and, that the petitioner had not established that the beneficiary had met the statutory and regulatory criteria for the preference category of registered nurse. Therefore, the director denied the petition accordingly.

The petitioner submitted a Form I-290B appeal in this matter. In the section reserved for the basis of the appeal, the petitioner stated that the business wanted a second chance as it had not responded to the request for evidence¹ due to a personal matter.

The petitioner selected on the appeal form the statement that indicated that it would not be submitting a brief or additional evidence.

The petitioner'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."

The petitioner 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.

¹ Failure to submit requested evidence that precludes a material line of inquiry shall be grounds for denying the petition. 8 C.F.R. § 103.2(b)(14).