

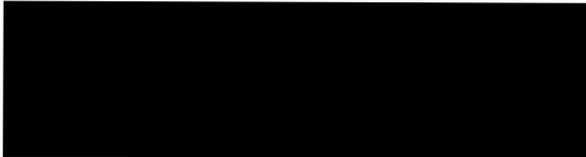
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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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BG

FILE: Office: TEXAS SERVICE CENTER Date: AUG 16 2007
SRC 03 099 51491

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:

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.

A handwritten signature in black ink, appearing to read "Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Director, Texas Service Center, denied the preference visa petition. On motion the director withdrew the decision of denial and reopened the matter, then denied the petition again. The matter is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The petitioner is a Real Estate/Land Development firm. It seeks to employ the beneficiary permanently in the United States as a bookkeeper. The director determined that the petitioner had not established that the beneficiary has the employment experience stated as mandatory on the approved Form ETA 750 labor certification and denied the petition accordingly.

The petitioner was represented by counsel from the time it filed the visa petition through filing the appeal. The space on the Form I-290B appeal reserved for the petitioner to state the basis for the appeal was left blank. On that appeal, however, counsel indicated that he would provide a brief or evidence within 30 days. No brief or evidence was submitted, either with the form appeal or subsequently. On July 6, 2007 this office sent counsel a facsimile transmission asking whether he had submitted any such information, argument, or documentation. In a faxed response dated and sent July 11, 2007 counsel stated,

The Petitioner and the beneficiary have terminated my services, and have new representation. I will need 7 business days to find my file in my storage area and send the documents to their new counsel to discuss the case. I can not [sic] discuss their case at this time.

Counsel's statements on appeal and in response to this office's fax contain no specific assignment of error. Alleging that the director erred in some unspecified way is an insufficient basis for an appeal. The regulation at 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, its former counsel, and its present counsel have 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.