

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

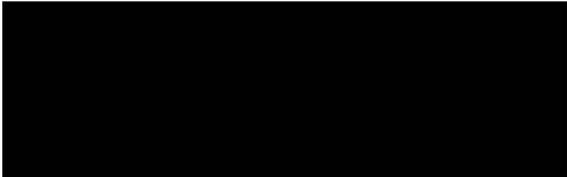
U.S. Department of Homeland Security
20 Mass Ave., N.W., Rm. 3000
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

B6



FILE: [REDACTED] Office: NEBRASKA SERVICE CENTER Date: DEC 01 2008
LIN 07 145 52020

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:
[REDACTED]

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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).

John F. Grissom, Acting Chief
Administrative Appeals Office

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

The petitioner is an internet advertising and technology firm. It seeks to employ the beneficiary permanently in the United States as a network data communications engineer. The director denied the petition on April 30, 2007, based on the petitioner's failure to establish that the beneficiary had obtained a four-year bachelor's degree or the foreign equivalent degree to a U.S. bachelor's degree as required by the certified labor certification.

On appeal, filed on May 1, 2007, the petitioner, through counsel, merely asserted that the beneficiary had obtained the requisite equivalent degree. Counsel also indicated that a brief and/or additional evidence would be provided within 30 days. By fax, on October 1, 2008, this office identified this case by the alien number and by receipt number and advised counsel that no brief and/or additional evidence had been received by this office. Counsel was advised that a response was requested within five business days. On October 27, 2008, counsel's office faxed a response to this office, stating that no brief or additional evidence was filed with the AAO.

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 statement that the beneficiary has the required educational credentials with no additional evidence or grounds for appeal provided within the time specified 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.