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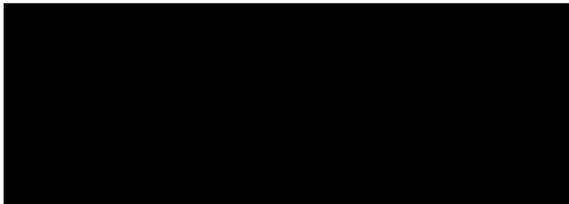
U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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File: WAC-04-052-52262

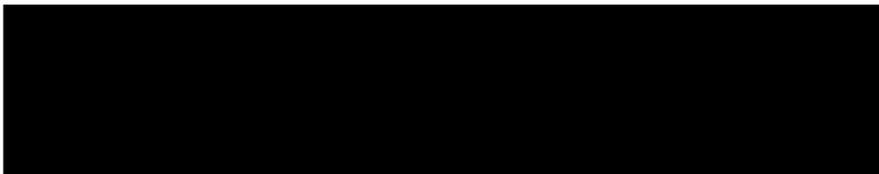
Office: CALIFORNIA SERVICE CENTER Date: JAN 29 2008

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:



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 Director, California Service Center (“director), denied the immigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

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 skilled worker. The director determined that the petitioner could not demonstrate its ability to pay the proffered wage.

On appeal, the petitioner provided, “A. The petitioner has the financial ability to pay the preferred [sic] wages. B. The petitioner has property assets sufficient to pay the proffered wages.” The petitioner indicated that it would send a brief within 30 days.

The appeal was filed on March 10, 2005. As of this date, more than twenty-four months after filing the appeal, the AAO has received nothing further. On April 25, 2007, the AAO sent counsel a fax allowing the petitioner to supplement the record with a brief as originally indicated. Counsel did not respond.<sup>1</sup>

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.

The petitioner here has not addressed the reasons stated for denial and has not provided any additional evidence related to the petitioner’s ability to pay the proffered wage, the basis on which the petition was denied. Further, the petitioner has failed to identify the specific erroneous conclusion of law. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed.

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<sup>1</sup> A second attempt was made to fax counsel at the fax number listed with his State Bar of California registration, as he reportedly changed offices. The AAO also attempted to fax the petitioner at the fax number contained in the record of proceeding.