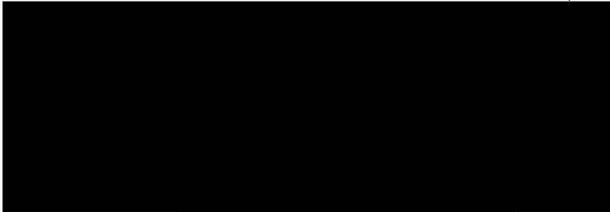


Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy



U.S. Citizenship
and Immigration
Services

PUBLIC COPY



FILE:

EAC 06 024 50948

Office: VERMONT SERVICE CENTER

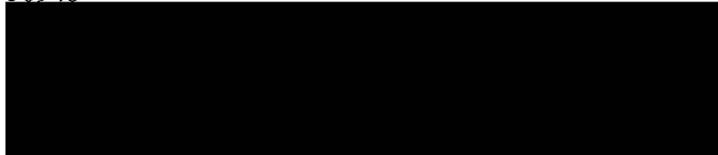
Date:

OCT 05 2006

IN RE:

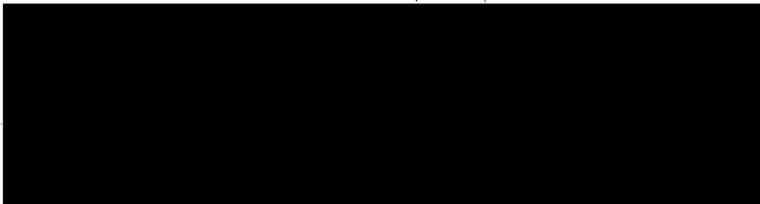
Petitioner:

Beneficiary:



PETITION: Immigrant Petition for Special Immigrant Religious Worker Pursuant to Section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(4), as described at Section 101(a)(27)(C) of the Act, 8 U.S.C. § 1101(a)(27)(C)

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, Vermont Service Center, denied the employment-based immigrant visa petition. The matter is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The petitioner is a Roman Catholic church. It seeks to classify the beneficiary as a special immigrant religious worker pursuant to section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(4), to perform services as a choir director. The director determined that the petitioner had not established the existence of a valid job offer, or that it sought to employ the beneficiary in a qualifying religious occupation.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part, “[a]n 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.”

On the Form I-290B Notice of Appeal, filed on June 21, 2006, counsel requested an additional 60 days to submit a brief. A letter submitted with the appeal indicated that the petitioner’s original attorney of record had been hospitalized since May 22, 2006, and “will be able to resume work on 7/5/06.” The AAO granted the extension in a facsimile message dated July 3, 2006. The period of the requested extension elapsed on August 20, 2006. To date, a month after the end of the extended response period, careful review of the record reveals no subsequent submission; all other documentation in the record predates the issuance of the notice of decision. AAO records reflect no further correspondence from the petitioner or counsel. Because there is no evidence of a timely supplement to the appeal, we consider the record to be complete as it now stands.

The statement on the appeal form reads, in its entirety: “The evidence & record did/do support a finding of eligibility for special immigrant worker status on all issues noted: experience, training, employment, organizational status.” This is a general statement that makes no specific allegation of error. The bare assertion that the petitioner submitted adequate evidence is not sufficient basis for a substantive appeal.

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

ORDER: The appeal is dismissed.