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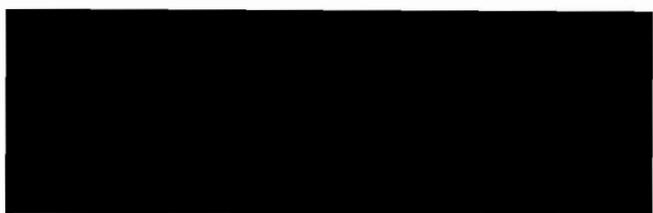
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE: [redacted] Office: CALIFORNIA SERVICE CENTER Date **MAY 28 2008**
WAC 07 082 52298

IN RE: Petitioner: [redacted]
Beneficiary: [redacted]

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, California 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.

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 August 14, 2008, counsel indicated that a brief would be forthcoming within thirty days. To date, over nine months later, careful review of the record reveals no subsequent submission; all other documentation in the record predates the issuance of the notice of decision.

On May 12, 2008, the AAO sent a message to counsel by facsimile, notifying counsel that the AAO was not in possession of any appellate brief. The AAO instructed counsel to submit a copy of the brief, and advised counsel: “Failure to respond to this notice within five business days may result in the summary dismissal of your appeal.” The record contains no response to this notice.

The statement on the appeal form is, essentially, an assertion that the petitioner has met its burden of proof and that, therefore, the director should have approved the petition. This is a conclusion without a supporting argument, and a general statement that makes no specific allegation of error. The bare assertion that the director somehow erred in rendering the decision 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.