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Washington, DC 20536

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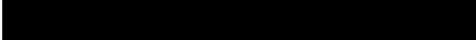


U.S. Citizenship  
and Immigration  
Services

**D2**



FILE:           LN 03 029 51859           Office: NEBRASKA SERVICE CENTER           Date:

IN RE:           Petitioner:   
                  Beneficiary: 

**MAR 04 2004**

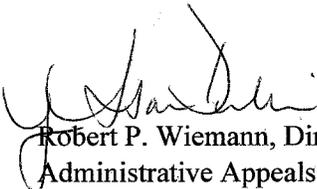
PETITION:       Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(H)(i)(b) of the  
                  Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(i)(b)

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, Director  
Administrative Appeals Office

**DISCUSSION:** The service center director denied the nonimmigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is an electrical contracting company. It seeks to employ the beneficiary as an electrician's supervisor, and endeavors to classify him as a nonimmigrant worker in a specialty occupation pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(H)(i)(b).

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 director determined that the proffered position was not a specialty occupation. Accordingly, the petition was denied.

On appeal, counsel states that the petitioner continues to rely on the merits of the I-129 petition as submitted, and requests a "fair and favorable review." Counsel does not, however, specifically identify any erroneous conclusion of law or statement of fact upon which the appeal is based. He simply indicates that: the petitioner disagrees with the director's determination; the proffered position is a specialty occupation; and the beneficiary is qualified to perform the duties associated with the position. The appellant must do more than simply state that it disagrees with the decision. It must clearly demonstrate the basis for the appeal. This, the appellant has failed to do. As such, the appeal must be dismissed.

**ORDER:** The appeal is dismissed.