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U.S. Citizenship
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FILE: WAC 05 156 50863 Office: CALIFORNIA SERVICE CENTER Date: NOV 29 2006

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

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: Self-represented

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All materials have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

For *Michael T. Kelly*
Robert P. Wiemann, Chief
Administrative Appeals Office

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

The petitioner is a dental practice. It seeks to employ the beneficiary as a dental technician and 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, 8 U.S.C. § 1101(a)(15)(H)(i)(b).

The director denied the petition on the ground that the record fails to establish that the proffered position qualifies as a specialty occupation.

On the appeal form the petitioner states as follows: "The denial of this H-1B petition was wrongfully made. The job position of this petition does require a bachelor's degree. The job title is a specialty occupation." The petitioner indicated on the claim form that a brief and/or evidence would be submitted within 30 days. No such brief or additional evidence was submitted in the next 30 days, however, or at any time thereafter.

As specified in 8 C.F.R. § 103.3(a)(1)(v), "[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." Despite broad assertions of error in the director's decision, the petitioner has not specifically identified any erroneous conclusion of law or statement of fact in the decision. Accordingly, the appeal will be summarily dismissed.

ORDER: The appeal is dismissed. The petition is denied.