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U.S. Citizenship
and Immigration
Services

DM



FILE: SRC 02 128 50528 Office: TEXAS SERVICE CENTER Date: **APR 23 2004**

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

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

IN 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 Director, Texas Service Center, denied the petition for a nonimmigrant visa. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a Florida company that claims to be the subsidiary company of [REDACTED] Ltda. in Colombia. It seeks authorization to employ the beneficiary temporarily in the United States as its administrative manager. On October 24, 2002, the director noted in her decision that the regulations state that size of the United States investment and the financial ability of the foreign entity to remunerate the beneficiary and to commence doing business in the United States must be demonstrated. The director determined the petitioner did not meet this responsibility by addressing all portions of the request for evidence. Therefore, the director determined that petitioner had not established the size of the United States investment and the financial ability of the foreign entity to remunerate the beneficiary and to commence doing business in the United States as required in the regulations at 8 C.F.R. § 214.2(l)(3)(v)(C)(2).

On the Form I-290B the petitioner stated “[b]rief to follow within thirty (30) days.” As of this date, more than one year later, the AAO has received nothing further in support of the appeal. The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically and erroneous conclusion of law or statement of fact for the appeal.

Inasmuch as counsel has failed to identify specifically an erroneous conclusion of law or a statement of fact in this proceeding, the appeal is summarily dismissed.

ORDER: The appeal is summarily dismissed.