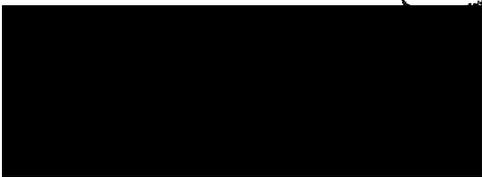


U.S. Department of Homeland Security
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20529



**U.S. Citizenship
and Immigration
Services**



FILE: EAC 01 021 51345 Office: VERMONT SERVICE CENTER

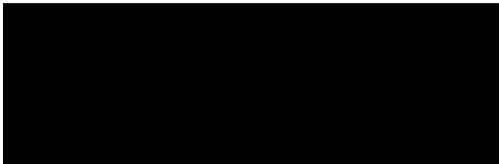
Date:

IN RE: Petitioner:
Beneficiary:



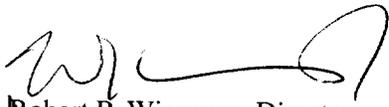
PETITION: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(L) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(L)

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 nonimmigrant visa petition was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner, [REDACTED] claims that it is a wholly-owned subsidiary of [REDACTED] located in Estonia. The petitioner plans to operate an import and export business. The petitioner seeks to hire the beneficiary as a new employee to open its U.S. office. Accordingly, in October 2000, the U.S. entity petitioned Citizenship and Immigration Services (CIS) to classify the beneficiary as a nonimmigrant intracompany transferee (L-1A) pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(L), as an executive or manager for one year. The petitioner endeavors to employ the beneficiary's services as the U.S. entity's president.

On May 1, 2001, the director denied the petition because the petitioner has not established that the beneficiary has been or will be employed in a managerial or executive capacity. The director also determined that the petitioner will not support an executive or managerial position within one year of the approval of the petition.

On June 01, 2001, the petitioner appealed the director's decision. On appeal, counsel simply states: "We sent in detailed documentation and information. Please approve this petition." In addition, the petitioner indicated that it would submit a brief and or evidence to the AAO within 30 days. As of this date, the AAO has not received any further information from the petitioner. As the petitioner has failed to specifically identify any erroneous conclusion of law or statement of fact, the appeal must be summarily dismissed.

In relevant part, the regulations at 8 C.F.R. § 103.3(a)(1)(v) state that 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. *Id.*

In visa petition proceedings, the burden of proving eligibility for the benefit sought remains entirely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361.

ORDER: The appeal is summarily dismissed.