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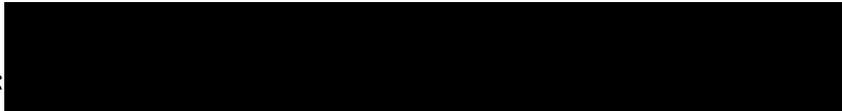
U.S. Citizenship
and Immigration
Services

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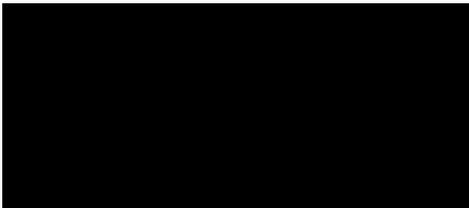
FILE: EAC 01 198 52968 Office: VERMONT SERVICE CENTER Date: JUN 06 2005

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 initially granted by the Director, Vermont Service Center. The petitioner received subsequent Notice of Intent to Revoke. The petitioner failed to reply to the Notice to Revoke. The director subsequently revoked prior approval of the petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

According to the documentary evidence contained in the record, the petitioner was incorporated in 2000 and claims to be a manufacturer, wholesaler, importer, and exporter of diamonds. The petitioner claims to be a subsidiary of [REDACTED] located in India. The petitioner seeks to continue to employ the beneficiary in the United States as a manager of assortment and inventory control. The director determined that the petitioner was given ample opportunity to submit evidence to overcome the grounds for revocation of approval of the petition, but failed to do so.

On appeal, counsel indicated that he would submit a brief or evidence to the AAO within 30 days of the notice. The notice of appeal is dated October 23, 2002. To date, the AAO has not received any additional evidence. Therefore, the record is considered complete.

The regulation at 8 C.F.R. 103.3(a)(1)(v) states in part:

Summary dismissal. An 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.

As the petitioner has failed to identify specifically any erroneous conclusion of law or statement of fact for the appeal, the appeal will be summarily dismissed.

In visa petition proceedings, the burden of proving eligibility for the benefit sought rests solely with the petitioner. Section 291 of the Act, 8 U.S.C. 1361. The petitioner has not sustained that burden.

ORDER: The appeal is summarily dismissed.