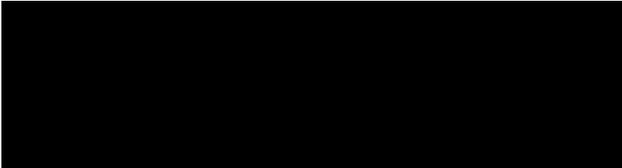


Identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy  
**PUBLIC COPY**



U.S. Citizenship  
and Immigration  
Services

89



FILE: EAC 06 009 53431 Office: VERMONT SERVICE CENTER Date: MAR 02 2006

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

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

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

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 Vermont Service Center Director denied the nonimmigrant visa petition in a decision dated October 27, 2005. An appeal was timely filed. The matter is now before the Administrative Appeals Office (AAO). The appeal will be summarily dismissed.

The petitioner filed a Form I-129, Petition for a Nonimmigrant Worker, seeking extension of the validity of the petition granting the beneficiary P-1 classification, under section 101(a)(15)(P)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(P)(i), as an internationally recognized entertainment group. The petitioner seeks to continue to employ the beneficiary for a period of one year on tour.

Finding the evidence insufficient, on October 21, 2005, the director requested the petitioner to:

Please submit a written advisory opinion from an appropriate association or entity with expertise in the beneficiary's area of ability. The advisory opinion provided by the labor organization must evaluate and/or describe the alien's or group's ability and achievements in the field of endeavor, comment on whether the alien or group is internationally recognized for achievements, and state whether the services to be performed are appropriate for an internationally recognized alien or entertainment group. The written opinion shall contain a statement of facts that support the conclusion reached in the opinion and shall be signed by an authorized official of the group or organization.

The petitioner responded to the director's request for additional evidence on October 25, 2005 by submitting an audiocassette and promotional materials for the beneficiary group. Failure to submit requested evidence that precludes a material line of inquiry shall be grounds for denying the petition. 8 C.F.R. § 103.2(b)(14). The petitioner failed to submit a consultation.

The director denied the petition, finding the petitioner failed to submit the required consultation to Citizenship and Immigration Services (CIS).

On appeal, the petitioner submits a Form I-290B, Notice of Appeal, and states "[e]nclosed you will find a letter from an internationally know[n] music production company in support of this petition."

The petitioner was put on notice of required evidence and given a reasonable opportunity to provide it for the record before the visa petition was adjudicated. The petitioner failed to submit the requested evidence and now submits it on appeal. However, the AAO will not consider this evidence for any purpose. See *Matter of Soriano*, 19 I&N Dec. 764 (BIA 1988); *Matter of Obaighena*, 19 I&N Dec. 533 (BIA 1988).

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 any erroneous conclusion of law or statement of fact for the appeal.

Inasmuch as the petitioner has failed to identify specifically any erroneous conclusion of law or a statement of fact in this proceeding, the appeal must be summarily dismissed.

**ORDER:** The appeal is dismissed.