U.S. Department of Homeland Security
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Washington, DC 20529

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U.S. Citizenship and Immigration Services

PUBLIC COPY

[redacted]

D7

NOV 23 2004

FILE: SRC 03 018 50128 Office: TEXAS SERVICE CENTER Date:

IN RE: Petitioner: [redacted]
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)

IN 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 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 Texas company that claims to be the parent company of Genesis Quality Services in Mexico. It seeks authorization to employ the beneficiary temporarily in the United States as its chief executive officer. On November 19, 2002, in her decision to deny the petition, the director noted that the regulations state that ownership of both the foreign and United States companies must be shown in order to prove that a qualifying relationship exists. The director determined the petitioner did not meet this responsibility by addressing all portions of a request for evidence. Therefore, the director determined that the petitioner had not established that the U.S. company and the foreign entity have a qualifying relationship as defined in the regulations at 8 C.F.R. § 214.2(l)(l)(ii).

On the Form I-290B[1] the petitioner stated that it has "changed percentage of ownership of both entities in an effort to meet requirements for consideration of eligibility as an L Classification." The petitioner stated that additional information would be submitted in 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.

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[1] Additionally, it is noted that the G-28, Form I-129 and additional correspondence was signed and submitted by a representative not accredited pursuant to 8 C.F.R. § 292.1(4). Therefore, the petitioner is considered self represented.