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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090

U.S. Citizenship and Immigration Services

B2

[redacted]

FILE: [redacted] Office: TEXAS SERVICE CENTER Date: DEC 01 2010
SRC 09 144 52647

IN RE: Petitioner: [redacted]
Beneficiary:

PETITION: *Immigrant Petition for Alien Worker as an Alien of Extraordinary Ability Pursuant to* Section 203(b)(1)(A) of the Immigration and Nationality Act; 8 U.S.C. § 1153(b)(1)(A)

ON BEHALF OF PETITIONER:

[redacted]

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of $630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, Texas Service Center, on November 2, 2009, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner seeks classification as an employment-based immigrant pursuant to section 203(b)(1)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A), as an alien of extraordinary ability as a "Shaolin Martial Arts Instructor." The director determined that the petitioner had not established the requisite extraordinary ability and failed to submit extensive documentation of his sustained national or international acclaim.

On appeal, counsel generally states that "USCIS erred not to recognize [the petitioner's] extraordinary performance in the field of his endeavor as an extraordinary martial artist and failed to evaluate submitted evidence." Counsel does not elaborate on this claim or refer to the specific evidence which the director purportedly failed to evaluate. Counsel additionally states that "[m]ore evidence are [sic] requested from China, which takes time to reach petitioner. Thus, additional time is requested for the submission of brief." The petitioner dated the appeal on November 27, 2009. As of this date, approximately 12 months later, the AAO has received nothing further. Accordingly, the record is considered complete as it now stands.

As stated in 8 C.F.R. § 103.3(a)(1)(v), 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. The petitioner here has not specifically addressed the reasons stated for denial and has not provided any additional evidence. As the petitioner has failed to provide any statement or argument regarding the basis of his appeal, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.