

PUBLIC COPY

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



U.S. Citizenship
and Immigration
Services

related to
STATE
DIVISION OF PERSONAL SERVICES



RL

APR 29 2005

FILE: WAC 02 234 53286 Office: CALIFORNIA SERVICE CENTER Date:

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

PETITION: Immigrant Petition for Alien Worker as an Other, Unskilled Worker Pursuant to Section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

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
Robert P. Wiemann, Director
Administrative Appeals Office

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

The petitioner is a residential care facility. It seeks to employ the beneficiary permanently in the United States as a caregiver. As required by statute, a Form ETA 750, Application for Alien Employment Certification approved by the Department of Labor, accompanied the petition.

The director determined that the petitioner had not established that it had the continuing ability to pay the beneficiary the proffered wage beginning on the priority date of the visa petition. The director also concluded that the petitioner had not demonstrated that the beneficiary possessed the necessary employment experience required by the terms of the position and denied the petition accordingly.

The notice of appeal does not state a reason for the appeal. The appeal was filed on February 12, 2003. The notice of appeal indicates that an additional thirty days is needed to submit a brief and/or additional evidence to the AAO. Accompanying undated correspondence merely requests an extension in order to gather more income tax information from an accountant. As of this date, more twenty-four months later, nothing further has been received to the record.

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 has not specifically addressed any reasons for the appeal and fails to sufficiently identify a specific conclusion of law or statement of fact upon which a substantive appeal may be filed. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.