

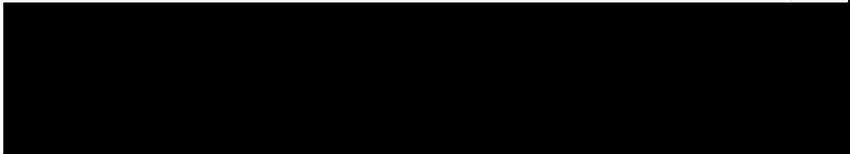
PUBLIC COPY

When your data is shared to
it clearly unacceptably
invasion of personal privacy

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



U.S. Citizenship
and Immigration
Services



JAN 2 2005

FILE:



Office: NEBRASKA SERVICE CENTER

Date:

LIN 63 244 50329

IN RE:

Petitioner:

Beneficiary:



PETITION: Immigrant petition for Alien Worker as a Skilled Worker or Professional pursuant to section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

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 service center director denied the employment-based immigrant visa petition, and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The petitioner seeks to classify the beneficiary pursuant to section 203(b)(3) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(3) as a skilled worker. The director determined that the petitioner had not established that the beneficiary had the requisite educational credentials as of the priority date of the labor certification application. Accordingly, the director denied the petition.

On appeal, counsel states that the director's decision is factually and legally in error, and indicates that he would submit a brief and/or evidence to the Administrative Appeals Office (AAO) within 30 days.

Although counsel did not date the appeal, Citizenship and Immigration Services (CIS) received it at the Nebraska Service Center on November 14, 2003. Counsel then submitted six requests for extension of time to submit a brief and new evidence. The last such request is dated June 7, 2004, and asked for an extension until June 23, 2004. As of this date, more than six months later after the date of the last request for an extension, the AAO has received nothing further.

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. While counsel states on Form I-290B that the director's decision is factually and legally in error, she has not specifically addressed the reasons stated for denial and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.