

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

PUBLIC COPY



U.S. Citizenship
and Immigration
Services

BG



FILE: WAC 02 132 55438 Office: CALIFORNIA SERVICE CENTER Date: **OCT 24 2005**

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 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 produce distributor. It seeks to employ the beneficiary permanently in the United States as a truck mechanic. As required by statute, a Form ETA 750, Application for Alien Employment Certification approved by the Department of Labor, accompanied the petition.

The director denied the petition on May 4, 2004, concluding that the petitioner had failed to establish the beneficiary's requisite qualifying work experience.

The notice of appeal was filed on June 2, 2004, accompanied by a copy of the director's decision. Counsel merely asserts on the notice of appeal that the petitioner met the requirements of the pertinent regulation in that the beneficiary possesses the necessary work experience. Counsel also stated that documentary evidence to establish the two-year requirement would be submitted within thirty days.

Part 2 of the notice also indicates that counsel will submit a brief and/or or evidence to the AAO within 30 days. As of this date, nothing further has been received to the record. No reply was received in response to a recent facsimile inquiry from this office.

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.

This office is left with a bare statement on appeal that the director applied the law in error. This does not 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.