

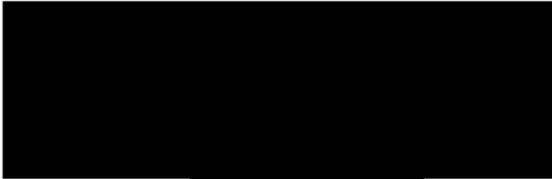
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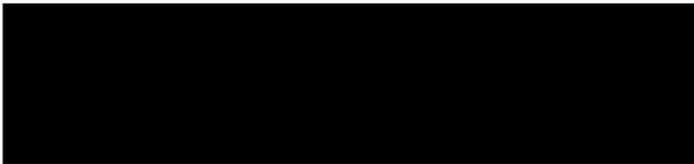
Office: VERMONT SERVICE CENTER

Date: OCT 24 2006

In re: Petitioner: [Redacted]
Beneficiary: [Redacted]

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)

IN 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, Chief
Administrative Appeals Office

DISCUSSION: The Director of the Vermont Service Center denied the immigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily 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 failed to establish its ability to pay the proffered wage. The director further determined that the petitioner failed to demonstrate that the beneficiary had four years of supervisory work experience and that the beneficiary attended a trade school as required by the Form ETA 750 filed in the instant case. The director denied the petition accordingly.

On appeal, counsel indicated that he would submit a brief and/or evidence to the AAO within 30 days and stated that certain facts contained in the director's January 31, 2005 decision are erroneous.

Counsel dated the appeal March 3, 2005. As of this date, more than 19 months later, the AAO has received nothing further. The AAO sent a fax to counsel on October 3, 2006 informing counsel that no separate brief and/or evidence was received, to confirm whether or not he would send anything else in this matter, and as a courtesy, providing him with five (5) days to respond. To date, more than two weeks later, no reply has been received.

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.

Counsel 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.