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U.S. Citizenship
and Immigration
Services



B4

AUG 03 2009

File: [Redacted]
SRC 07 112 51860

Office: TEXAS SERVICE CENTER Date:

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)

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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. 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 \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).


John F. Grissom, Acting Chief
Administrative Appeals Office

DISCUSSION: The Acting Director (Director), Texas 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 and denied the petition accordingly.

On appeal, the petitioner submitted a Form I-290B Notice of Appeal or Motion on June 29, 2007 indicating that it would be self represented during these proceedings. The record of proceeding also does not contain any Form G-28 Notice of Entry of Appearance of Attorney or Representative executed and filed by the petitioner. However, [REDACTED] in Columbus, Ohio submitted a brief and additional evidence on behalf of the petitioner on appeal on July 5, 2007.

The AAO sent a fax to the petitioner on June 29, 2009 informing it that it must submit a properly executed Form G-28, which complies with 8 C.F.R. § 292.1 and 8 C.F.R. § 103.3(a)(1)(iii)(B). The AAO indicated that the Form G-28 must be signed by the petitioner, the affected party with standing to appeal. The AAO provided the petitioner with five (5) days to respond. To date, more than two weeks later, no reply has been received. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.