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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



**U.S. Citizenship
and Immigration
Services**

B2

FILE: [REDACTED] Office: NEBRASKA SERVICE CENTER Date: **MAR 09 2011**

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

PETITION: Immigrant Petition for Alien Worker as an Alien of Extraordinary Ability Pursuant to
Section 203(b)(1)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(1)(A)

ON BEHALF OF PETITIONER:

[REDACTED]

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. 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 \$630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

2 Perry Rhew
Chief, Administrative Appeals Office

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

The petitioner seeks classification as an employment-based immigrant pursuant to section 203(b)(1)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A), as an alien of extraordinary ability in the arts. The director determined that the petitioner had not established the requisite extraordinary ability through extensive documentation and sustained national or international acclaim.

On appeal, the petitioner states:

The I-140 petition of the beneficiary based on classification of Extraordinary Ability in the Arts has been erroneously denied by the USCIS [U.S. Citizenship and Immigration Services] based on erroneous conclusions of law and fact. The USCIS erred in concluding that the beneficiary is not nationally or internationally acclaimed. The USCIS further erred in concluding that the beneficiary's work is not leading or does not have original contributions of major significance in the field of arts and music as the evidence in the record combined in the original petition and in the response to Request for Evidence shows ample evidence (and more than three of the criteria are affirmatively met) under the 8 C.F.R. Section 204.5(h)(3) to prove that the Beneficiary is in fact qualified under the extraordinary ability category.

On appeal, the petitioner does not specifically address the director's findings or his analyses of the documentation submitted for the categories of evidence at 8 C.F.R. § 204.5(h)(3). Moreover, the petitioner does not specify the documentary evidence in the record which the director erred in evaluating. While the petitioner argues that USCIS "erred in concluding that the beneficiary's work is not leading or does not have original contributions of major significance in the field of arts and music," he does not point to specific evidence in the record or identify which of the director's statements under 8 C.F.R. §§ 204.5(h)(3)(v) and (viii) were in error. Further, the appellate submission was unaccompanied by additional evidence addressing the categories of evidence at 8 C.F.R. § 204.5(h)(3) which the petitioner claims to meet. On the Form I-290B, Notice of Appeal or Motion, the petitioner checked box "C" in Part 2 indicating that he would not be submitting a supplemental brief or additional evidence.

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 the reasons stated for denial and has not provided any additional evidence pertaining to the classification sought. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.