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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

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DATE: **MAY 14 2012**

OFFICE: TEXAS SERVICE CENTER



IN RE: Petitioner:
Beneficiary:



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:



INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) 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 AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen with the field office or service center that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The director, Texas Service Center, denied the employment-based immigrant visa petition on May 6, 2009. The petitioner, who is also the beneficiary, appealed the May 6, 2009 decision with the Administrative Appeals Office (AAO) on June 5, 2009. The appeal will be dismissed.

The petitioner seeks classification as an “alien of extraordinary ability,” as a greyhound dog trainer, pursuant to section 203(b)(1)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A). The director determined that the petitioner has not established the sustained national or international acclaim necessary to qualify for classification as an alien of extraordinary ability.

On appeal, counsel states, in a conclusory manner, that the director erred in finding that the petitioner has not met the prizes or awards for excellence criterion under 8 C.F.R. § 204.5(h)(3)(i), the membership in associations criterion under 8 C.F.R. § 204.5(h)(3)(ii); the original contributions of major significance criterion under 8 C.F.R. § 204.5(h)(3)(v); the leading or critical role criterion under 8 C.F.R. § 204.5(h)(3)(viii); and the high salary or other significantly high remuneration for services criterion under 8 C.F.R. § 204.5(h)(3)(ix).

The petitioner, who signed the appeal, also indicates on the Notice of Appeal or Motion (Form I-290B) that in support of the appeal, he would submit a brief and/or additional evidence to the AAO within 30 days. The Form I-290B is dated May 31, 2009. As of this date, nearly three years later, the AAO has received nothing further from the petitioner or counsel.

As provided in the regulation at 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.”

In this case, other than his conclusory statements that do not address the specific concerns under each criterion raised by the director, counsel has not specifically identified an erroneous conclusion of law or statement of fact in the director’s denial. *See Desravines v. U.S. Atty. Gen.*, 343 Fed.Appx. 433, 435 (11th Cir. 2009) (a passing reference in the arguments section of a brief without substantive arguments is insufficient to raise that ground on appeal). In addition, neither counsel nor the petitioner has provided a brief and/or any additional evidence, which the petitioner indicated he would on the Form I-290B. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.