



U.S. Citizenship
and Immigration
Services

(b)(6)



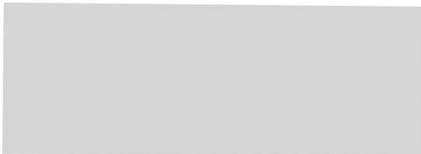
DATE: APR 27 2015 Office: TEXAS SERVICE CENTER

FILE:

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.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,

Ron Rosenberg
Chief, Administrative Appeals Office

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

The petitioner seeks classification as an “alien of extraordinary ability” pursuant to section 203(b)(1)(A) of the immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(1)(A). In a decision that addressed the petitioner’s evidence under the relevant evidentiary criteria at 8 C.F.R § 204.5(h)(3), the director determined that the petitioner had not established the sustained national or international acclaim necessary to qualify for the classification.

On appeal, the petitioner stated that she would submit a brief and/or evidence to the Administrative Appeals Office (AAO) within 30 days. The petitioner dated the appeal April 24, 2013. As of this date, more than 23 months later, we have received nothing further. Within Part 3 of the Form I-290B, the petitioner lists some of the evidence she provided, but she does not identify any specific evidence the director did not consider, or explain how the director’s analysis of the evidence was erroneous.

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. *See Desravines v. U.S. Atty. Gen.*, 343 F. App’x 433, 435 (11th Cir. 2009) (finding that issues not briefed on appeal are deemed abandoned); *Tedder v. F.M.C. Corp.*, 590 F.2d 115, 117 (5th Cir. 1979) (deeming abandoned an issue raised in the statement of issues but not anywhere else in the brief). In this instance, the petitioner has not identified specifically an erroneous conclusion of law or statement of fact. In this case, the regulations mandate the summary dismissal of the appeal. As the petitioner failed to provide any specific statement regarding the basis of his appeal, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.