



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

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF A-T-

DATE: DEC. 21, 2015

APPEAL OF TEXAS SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a professor, seeks classification as an “alien of extraordinary ability” in business. *See* Immigration and Nationality Act (the Act) § 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). The Director, Texas Service Center, denied the petition, and the Petitioner filed an appeal. We rejected the appeal as untimely filed, and the Director considered the case on motion. The Director denied the motion. The matter is now before us on appeal. The appeal will be summarily dismissed.

On Form I-290B, Notice of Appeal or Motion, the Petitioner indicated in Part 3 that his “brief and/or additional evidence will be submitted to the AAO within 30 calendar days of filing the appeal.” The appeal was filed on September 21, 2015. In a written request received on October 30, 2015, counsel for the Petitioner requested a 30-day extension to file the brief in support of the appeal. We granted counsel’s request for an extension until November 30, 2015. On November 30, 2015, counsel requested another 30-day extension to submit a brief because he “has been involved in numerous, time consuming litigation matters” and “the holidays have affected counsel’s schedule.”

We may, for good cause, allow the affected party additional time to submit a brief. *See* 8 C.F.R. § 103.3(a)(2)(vii). Here, as counsel has not shown good cause, we will not permit counsel additional time to submit a brief. Further, we have previously granted counsel additional time, and will not grant any more extensions. Accordingly, the record is considered complete as it now stands.

As stated in 8 C.F.R. § 103.3(a)(1)(v), an appeal shall be summarily dismissed if the party concerned does not 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. As the Petitioner did not provide any specific statement or argument regarding the basis of his appeal, the appeal must be summarily dismissed.

In visa petition proceedings, it is the petitioner's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013). Here, that burden has not been met.

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ORDER: The appeal is summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

Cite as *Matter of A-T-*, ID# 16237 (AAO Dec. 21, 2015)