



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

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

MATTER OF M-C-R-

DATE: SEPT. 8, 2015

APPEAL OF NEBRASKA SERVICE CENTER DECISION

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

The Petitioner 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, Nebraska Service Center, denied the employment-based immigrant visa petition. The matter is now before us on appeal. The appeal will be summarily dismissed.

The Petitioner filed the Immigrant Petition for Alien Worker (Form I-140) on January 14, 2014, without any supporting documentation. On August 25, 2014, the Director issued a request for evidence (RFE) advising the Petitioner to submit evidence to satisfy the evidentiary requirements set forth at 8 C.F.R. § 204.5(h)(3), which requires documentation of a one-time achievement or evidence that meets at least three of the ten regulatory criteria. Although the RFE was properly addressed to the Petitioner’s address of record, she did not respond to the RFE. The Director denied the petition on December 15, 2014, because the Petitioner had not submitted documentation meeting the evidentiary requirements at 8 C.F.R. § 204.5(h)(3).

The Petitioner filed the Notice of Appeal or Motion (Form I-290B) on January 16, 2015, without any supporting evidence relating to her eligibility for the classification sought. In Part 3 of the Form I-290B, the Petitioner checked box “1.b.” indicating “[m]y brief and/or additional evidence will be submitted to the AAO within 30 calendar days of filing the appeal.” Part 4 of the Form I-290B instructs the petitioner to “[p]rovide a statement that specifically identifies an erroneous conclusion of law or fact in the decision being appealed.” In her statement, the Petitioner asserts that she did not receive the Director’s RFE, and that she contacted U.S. Citizenship and Immigration Services to request that the RFE be re-sent. The Petitioner indicates that on November 25, 2014, the Director re-mailed the RFE to her address of record, and then subsequently denied the petition on December 15, 2014. The Petitioner further states that “additional documents will be submitted to the AAO in 30 days.” The appeal was filed on January 16, 2015. As of this date, more than seven months later, we have received nothing further.

The Petitioner’s statement does not identify any erroneous conclusion of law or fact in the Director’s decision. She does not specifically challenge any of the Director’s findings or point to specific errors in the Director’s determination that she had not satisfied the evidentiary requirements set forth at 8 C.F.R. § 204.5(h)(3).

*Matter of M-C-R-*

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 evidence pertaining to her eligibility for the classification sought. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is summarily dismissed.

Cite as *Matter of M-C-R-*, ID# 13190 (AAO Sept. 8, 2015)