



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

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

MATTER OF P-E-C-

DATE: MAR. 9, 2016

APPEAL OF TEXAS SERVICE CENTER DECISION

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

The Petitioner, an individual, seeks classification as an individual 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. The matter is now before us on appeal. The appeal will be summarily dismissed.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part, we “shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.” The Notice of Appeal or Motion, Form I-290B, does not contain an explanation of the reasons for appeal. In Part 3 of the Form I-290B, “Information About the Appeal or Motion,” the Petitioner has checked the box that reads: “I am filing an appeal to the AAO. My brief and/or additional evidence will be submitted to the AAO within 30 calendar days of filing the appeal.” In a letter accompanying the Form I-290B, the Petitioner advises that he and his family were on vacation during the period the denial was sent and reaffirms that he would send additional material within 30 days. However, as of today’s date, over seven months after the Petitioner filed his appeal in July 2015, he has not provided a brief or additional exhibits.

In his decision, the Director discussed the evidence in the record and found that the Petitioner did not establish the necessary extraordinary ability. In this case, the Petitioner has not identified an erroneous conclusion of law or statement of fact in the Director’s decision. The mere filing of a Form I-290B, without identifying such an error, does not trigger an analysis of the criteria or a review of the Director’s decision. *See* 8 C.F.R. § 103.3(a)(1)(v).

As the Petitioner has not specifically identified any erroneous conclusion of law or statement of fact, we must dismiss the appeal.

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

Cite as *Matter of P-E-C-*, ID# 15794 (AAO Mar. 9, 2016)