



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

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

MATTER OF C-T-

DATE: JUNE 4, 2018

MOTION ON ADMINISTRATIVE APPEALS OFFICE DECISION

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

The Petitioner, a mathematics professor, seeks classification as an individual of extraordinary ability in education. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). This first preference classification makes immigrant visas available to those who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation.

The Director of the Texas Service Center denied the petition and we dismissed the subsequent appeal. The matter is now before us on a motion to reopen. Upon review, we will deny the motion.

A motion to reopen must state the new facts to be proved in the reopened proceeding and be supported by affidavits or other documentary evidence. 8 C.F.R. § 103.5(a)(2). A motion “is not a process by which a party may submit, in essence, the same brief presented on appeal [or a motion to reopen or reconsider an appeal] and seek reconsideration by generally alleging error.” *Matter of O-S-G-*, 24 I&N Dec. 56, 58 (BIA 2006). A motion that does not meet applicable requirements shall be dismissed. 8 C.F.R. § 103.5(a)(4).

On motion, the Petitioner reasserts the same arguments addressed in the previous appeal and the Petitioner’s brief is substantively identical to the brief submitted on appeal. We previously addressed the Petitioner’s assertions in our decision on the appeal and the motion does not assert new facts to be proved in the reopened proceeding. Therefore, the motion does not satisfy applicable requirements.

ORDER: The motion to reopen is denied.

Cite as *Matter of C-T-*, ID# 1383880 (AAO June 4, 2018)