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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administration Appeals, MS 2090
Washington, DC 20529-2090

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U.S. Citizenship
and Immigration
Services

B5

FILE:

[REDACTED]

Office: TEXAS SERVICE CENTER

Date: JUL 17 2009

SRC 07 221 53122

IN RE:

Petitioner:

[REDACTED]

Beneficiary:

PETITION: Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

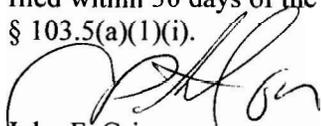
ON BEHALF OF PETITIONER:

[REDACTED]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).


John F. Grissom

Acting 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 (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner seeks to classify the beneficiary pursuant to section 203(b)(2) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(2), as a member of the professions holding an advanced degree or an alien of exceptional ability. The director denied the petition as DOL found the petitioner, in accordance with 20 C.F.R. 655.855, to have engaged in certain actions rendering them subject to mandatory debarment under section 212(n)(2)(C)(i) and (ii) of the Act, as amended. As a result of the debarment, no immigrant visa petitions and no H (excluding H-1B1), L, O, or P-1 non-immigrant visa petitions filed by Software Research Group, Inc., shall be approved by the USCIS from June 1, 2008, and ending on May 31, 2009. Accordingly, the director denied this petition on February 12, 2009.

On appeal, counsel merely stated that a brief and additional supporting documents would be submitted in 30 days.

Counsel dated the appeal March 10, 2009. As of this date, more than four months later, the AAO has received nothing further.

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. Moreover, the petitioner failed to state a reason for the appeal and failed to submit a brief. *See* 8 C.F.R. § 103.3(a)(2)(vii) and (viii).

Counsel here has not specifically addressed the reasons stated for denial and has not provided any additional evidence. He has not even expressed disagreement with the director's decision. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.