

(b)(6)

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

DATE: **SEP 25 2013** Office: TEXAS SERVICE CENTER FILE: [REDACTED]

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

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:

SELF-REPRESENTED

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, Texas Service Center, denied the immigrant visa petition. The petitioner filed a motion to reopen and reconsider, which the director dismissed. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner seeks classification 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. The petitioner asserts that an exemption from the requirement of a job offer, and thus of a labor certification, is in the national interest of the United States. The director found that the petitioner had not established that an exemption from the requirement of a job offer would be in the national interest of the United States.

In Part 2 of the Form I-290B, Notice of Appeal or Motion, the petitioner checked box "C" indicating "No supplemental brief and/or additional evidence will be submitted." Therefore, the appellate submission constitutes his entire appeal. The petitioner, however, did not submit an accompanying brief or other documentation with the Form I-290B.

Part 3 of the Form I-290B includes a space to "[p]rovide a statement explaining any erroneous conclusion of law or fact in the decision being appealed." The petitioner states:

I have forwarded all the facts and supported affidavits or evidences in your office since I applied for NIW. Please reconsider all evidences that had been submitted previously. I am appealing in your good office that this appeal of reopening the case will have at least (8) months befor [sic] its [sic] another decision. I had investment already and I will be disposing them and it will take a while. I am appealing you [sic] humanitarian consideration to have at least a little longer period of time to properly manage and dispose some investment and property.

The petitioner's statement fails to identify any erroneous conclusion of law or fact in the director's decision. The petitioner has not even expressed disagreement with the director's decision. The petitioner does not specifically challenge any of the director's findings, or point to specific errors in the director's analyses of the documentary evidence. In addition, the petitioner does not explain how the specific documentation that he submitted supports a finding of eligibility.

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

ORDER: The appeal is dismissed.