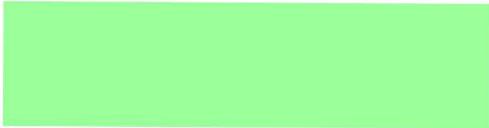
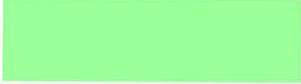


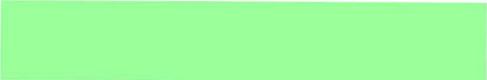
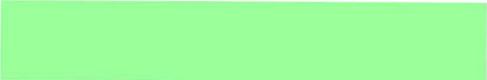


U.S. Citizenship  
and Immigration  
Services

(b)(6)



DATE: **JAN 14 2014** Office: TEXAS SERVICE CENTER FILE: 

IN RE: Petitioner:   
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:



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,

Ron Rosenberg  
Chief, Administrative Appeals Office

**DISCUSSION:** The Director, Texas Service Center, denied the immigrant visa petition and 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 "B" indicating "[m]y brief and/or additional evidence will be submitted to the AAO within 30 days." The appeal was filed on May 29, 2013. As of this date, more than seven months later, the AAO has received nothing further. 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." Counsel states:

We are submitting herein Form I-290B, Notice of Appeal for the above referenced I-140 denial with request to submit Appeal's brief to AAO within 30 days.

[The petitioner] is filing herein Appeal pursuant to the regulations at 8 C.F.R. § 103.3 on the ground that the Decision is based on erroneous conclusion of law and erroneous conclusion and/or statement of fact.

Enclosed kindly find completed Form I-290B, Form G-28, check of \$630.00 and denial notice.

Thank you so much for your understanding and re-consideration on this matter.

Counsel's statement fails to identify any erroneous conclusion of law or fact in the director's decision. Counsel does not specifically contest any of the director's findings or point to specific errors in the director's analyses of the documentary evidence. In addition, counsel does not explain how the specific documentation that the petitioner submitted supports a finding of eligibility. The regulation at 8 C.F.R. § 103.3(a)(1)(v) provides that "[a]n officer to whom an appeal is taken 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." In this matter, the petitioner has not identified as a proper basis for the appeal an erroneous conclusion of law or a statement of fact in the director's decision.

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

(b)(6)

*NON-PRECEDENT DECISION*

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**ORDER:** The appeal is dismissed.