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**U.S. Citizenship
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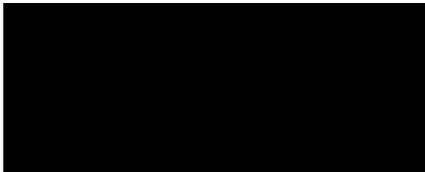
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FILE: EAC 03 116 53141 Office: VERMONT SERVICE CENTER Date: **DEC 15 2005**

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

PETITION: Immigrant petition for Alien Worker as a Skilled Worker or Professional pursuant to section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

ON BEHALF OF PETITIONER:



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.

A handwritten signature in black ink, appearing to be "Michael Valadez".

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The preference visa petition was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner is a software development and network engineering corporation. It seeks to employ the beneficiary permanently in the United States as a network engineer. The director determined that the petitioner had not established that it had the continuing ability to pay the beneficiary the proffered wage beginning on the priority date of the visa petition and that the beneficiary did not possess on the priority date the minimum education required by the certified Alien Employment Application. The director denied the petition accordingly.

Counsel submitted a Form I-290B appeal in this matter. In the section reserved for the basis of the appeal, counsel inserted, "We shall submit a brief detailing our position for this appeal within 30 days." Counsel's statement on appeal contains no specific assignment of error. Despite the AAO's request to counsel to submit a brief and/or additional evidence, counsel stated in reply on November 6, 2005, that none would be submitted.

Alleging that the director erred in some unspecified way is an insufficient basis for an appeal.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part: "An 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."

Counsel has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal and the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed.