

**identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy**



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

**PUBLIC COPY**



136

FILE: WAC 01 293 56422 Office: CALIFORNIA SERVICE CENTER Date: JAN 27 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:

SELF-REPRESENTED

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.

  
Robert P. Wichmann, Director  
Administrative Appeals Office

**DISCUSSION:** The employment-based immigrant visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner seeks to classify the beneficiary pursuant to section 203(b)(3) the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(3) as a skilled worker. The director determined that the petitioner had failed to sustain its burden of proof of the petitioner's ability to pay the proffered wage as well as of the beneficiary meeting the required minimum of three years foreign work experience to qualify for the proffered position.

On August 6, 2003, counsel filed an appeal from the Director's July 7, 2003 decision and stated he would send a brief and/or evidence within 30 days. On Nov. 21, 2003, counsel served notice terminating his representation of the petitioner in these proceedings. More than 16 months have since passed and the AAO has not received a brief or more evidence in these proceedings.

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.

Neither counsel nor the petitioner have specifically addressed the reasons stated for denial nor has either provided any additional evidence or even expressed disagreement with the director's decision. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed.