

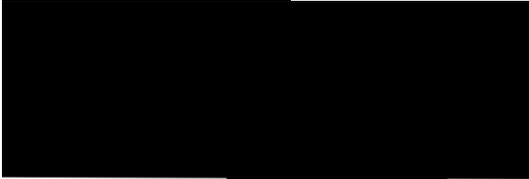
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U.S. Citizenship  
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FILE: [REDACTED]  
LIN 06 201 52028

Office: NEBRASKA SERVICE CENTER

Date: MAR 05 20

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

PETITION: Immigrant Petition for Alien Worker as an Other, Unskilled Worker Pursuant to  
Section 203(b)(3) of the Immigrant and Nationality Act, 8 U.S.C. § 1153(b)(3)

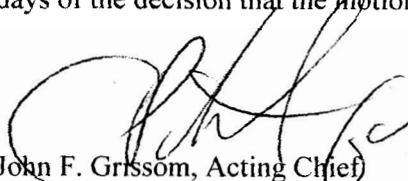
ON BEHALF OF PETITIONER:

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.

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, Nebraska 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)(3) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(3), as an unskilled worker. On February 15, 2007, the director denied the petition, as he determined that the petitioner, [REDACTED] failed to demonstrate that it has the financial ability to pay the proffered wage as of the priority date. The director also determined that the petitioner failed to demonstrate that the beneficiary possessed the requisite work experience in the job offered as of the priority date and failed to submit the original labor certification in support of the immigrant visa petition. Further, the director noted that the company name, address, and company president listed on the Form ETA 750 did not match information in the record. Accordingly, the director denied the petition.

On appeal, the petitioner<sup>1</sup> merely stated that it was motioning to reopen and reconsider and to continue with the adjustment of status and I-140 application(s).

The appeal was filed on March 19, 2007. The petitioner requested an additional 30 days to provide a brief and/or additional evidence.

Pursuant to 8 C.F.R. § 103.3(a)(2)(vii) and (viii), an affected party shall submit the brief directly to the AAO. Therefore the brief was due on April 23, 2007. As of this date, more than 21 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.

The petitioner here has not specifically addressed the reasons stated for denial and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed.

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<sup>1</sup> A Notice of Entry of Appearance by an Attorney or Representative (Form G-28) signed by [REDACTED] on behalf of the [REDACTED] New York, New York 10031 is contained in the record. The regulation at 8 C.F.R. § 292.1(a)(4) provides that an accredited representative is a person “representing an organization described in § 292.2 of this chapter who has been accredited by the Board.” There is no indication that [REDACTED] is an organization accredited by the Board of Immigration Appeals. See <http://www.USDOJ.gov/eoir/statspub/raroster.htm>. (Nor is Mr. [REDACTED] included on the accreditation list for individuals.) Until such evidence is provided, the director is instructed not to recognize this entity as a representative of any party.