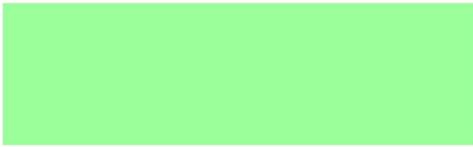




U.S. Citizenship  
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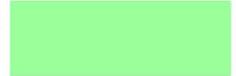


Date:

APR 09 2012

Office: NEBRASKA SERVICE CENTER

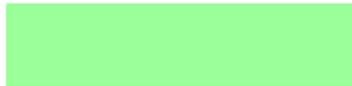
FILE:



IN RE:

Petitioner:

Beneficiary:



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:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. 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 \$630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

*Kieran S. Rhew for*

Perry Rhew

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 a cosmetologist. The director determined that the petitioner failed to submit all of the required initial evidence including evidence of the petitioner's continuing ability to pay the proffered wage beginning on the priority date and evidence that the beneficiary is qualified to perform the duties of the proffered position according to the terms of the labor certification.

On appeal, the petitioner merely stated that a brief and additional evidence would be submitted within 30 days.

The petitioner dated the appeal April 1, 2009.<sup>1</sup> As of this date, nearly three years later, the AAO has received nothing further, and the regulation requires that any brief shall be submitted directly to the AAO. 8 C.F.R. §§ 103.3(a)(2)(vii) and (viii).

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 petitioner has not even expressed disagreement with the director's decision. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed.

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<sup>1</sup> The record of proceeding contains a Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, signed by the petitioner. The representative on the Form G-28 is not accredited. Therefore, the AAO will not recognize the representative in this proceeding. See 8 C.F.R. §§ 1.1(j), 103.2(a)(3), 292.