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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090



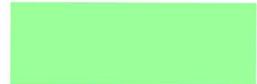
U.S. Citizenship  
and Immigration  
Services



DATE:

OFFICE: NEBRASKA SERVICE CENTER

FILE:

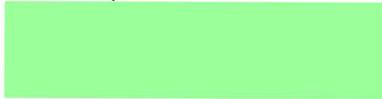


APR 04 2013

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 AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Ron Rosenberg  
Acting Chief, Administrative Appeals Office

**DISCUSSION:** The Acting Director, Nebraska Service Center (acting director), denied the employment-based immigrant visa petition, which 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 skilled worker. The acting director determined that the petitioner failed to demonstrate that the beneficiary possessed the minimum qualifications for the offered position as stated on the ETA Form 750A, Application for Alien Employment Certification, at the time of the petition's priority date.

On appeal, the petitioner merely stated that "[a]dditional evidence has been found and will be submitted within the thirty day period."

The petitioner dated the appeal October 20, 2011, and it was received on October 21, 2011. As of this date, more than 17 months later, the AAO has received nothing further. The Form I-290B, Notice of Appeal or Motion, requires the submission of any brief and/or additional evidence directly to the AAO within 30 days. *See* 8 C.F.R. § 103.2(a)(1) (incorporating form instructions into the regulations); *see also* 8 C.F.R. §§ 103.3(a)(2)(vii) and (viii) (upon written request, a petitioner may be granted additional time in which to submit a brief directly to the AAO).

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 reason stated for denial and has not provided any additional evidence. The petitioner has not even expressed disagreement with the acting director's decision. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed.