(b)(6)

**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: DEC 17 2014 OFFICE: CALIFORNIA SERVICE CENTER FILE:

IN RE: Petitioner:
Beneficiaries:

PETITION: Petition for a Commonwealth of the Northern Mariana Islands (CNMI) Only Nonimmigrant Transitional Worker Classification Pursuant to 48 U.S.C. § 1806(d)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at http://www.uscis.gov/forms for the latest information on fee, filing location, and other requirements.** *See also* 8 C.F.R. § 103.5. **Do not file a motion directly with the AAO.**

Thank you,

Ron Rosenberg
Chief, Administrative Appeals Office

**DISCUSSION:** The service center director denied the petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner submitted a Petition for a CNMI-Only Nonimmigrant Transitional Worker (Form I-129CW) to the California Service Center on 2013. In the Form I-129CW visa petition, the petitioner describes itself as a security services company that was established in In order to employ the beneficiaries in what it designates as security guard positions, the petitioner seeks to classify them as CNMI-Only Nonimmigrant Transitional Workers (CW-1) pursuant to 48 U.S.C. § 1806(d).

The director denied the petition on 2014, finding that the petitioner failed to establish that the beneficiaries were lawfully present in the Commonwealth of the Northern Mariana Islands at the time the petition was filed.

The petitioner submitted an appeal of the denial of the petition on behalf of the beneficiaries. In the Form I-290B, Notice of Appeal or Motion, the petitioner marked box b of Part 3, indicating that the petitioner would send a brief and/or evidence within 30 days. However, we did not receive a brief and/or additional evidence within the allotted timeframe (or thereafter). Accordingly, the record of proceeding is deemed complete as currently constituted.

The petitioner submitted the following statement in support of the appeal at Part 4 of the Form I-290B:

> [The petitioner] is appealing from the decision of the USCIS California Service Center dated 2014 denying the I-129CW, Petition for CNMI-Only Nonimmigrant Transitional Worker filed by [the petitioner] on behalf of [the beneficiaries] and [all] consequences resulting from said denial. Attached as Exhibit "1" is a copy of the USCIS decision dated 2014. This appeal is timely. See 8 C.F.R. 103.8(b) ("Effect of service by mail. Whenever a person has the right or is required to do some act within a prescribed period after the service of a notice upon him and the notice is served by mail, 3 days shall be added to the prescribed period. Service by mail is complete upon mailing.") Here, the decision was served on [the petitioner] by mail.
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> [The petitioner] is filing a brief within 30 days from filing of this notice of appeal. As will be discussed more fully in its brief, [the petitioner] believes that the USCIS California Service Center erred in finding that the beneficiaries are not maintaining their CW-1 nonimmigrant status based on the evidence on record and other supplemental/additional evidence to be submitted in support of this appeal. The USCIS therefore erred in denying the I-129CW petition as it is based on an erroneous findings of fact.

We find that the petitioner's statement on appeal contains no specific assignment of error. The regulation at 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 (emphasis added)." In the instant case, the petitioner does not identify specifically any erroneous conclusion of law or a statement of fact as a basis for the appeal. Thus, the appeal must be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

**ORDER:** The appeal is summarily dismissed.