



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

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF C-S-C- LLC

DATE: APR. 5, 2017

APPEAL OF VERMONT SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, an information technology staffing and consulting company, seeks to temporarily employ the Beneficiary as a programmer analyst under the H-1B nonimmigrant classification for specialty occupations. *See* Immigration and Nationality Act (the Act), section 101(a)(15)(H)(i)(b), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The H-1B program allows a U.S. employer to temporarily employ a qualified foreign worker in a position that requires both (a) the theoretical and practical application of a body of highly specialized knowledge and (b) the attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum prerequisite for entry into the position.

The Director of the Vermont Service Center denied the petition. The matter is now before us on appeal. Upon review, we will summarily dismiss the appeal.

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically an erroneous conclusion of law or statement of fact for the appeal. 8 C.F.R. § 103.3(a)(1)(v).

The Petitioner did not provide a statement in support of the appeal that specifically identifies an erroneous conclusion of law or fact in the decision being appealed. On the Form I-290B, Notice of Appeal or Motion, the Petitioner stated that no brief or additional evidence will be submitted. We have not received a brief or additional evidence from the Petitioner. Because the Petitioner has not identified a specific, erroneous conclusion of law or statement of fact in the Director's decision below, the appeal must be summarily dismissed.

The burden of proof in these proceedings rests with the Petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The Petitioner has not satisfied that burden and the appeal will be summarily dismissed.

ORDER: The appeal is summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

Cite as *Matter of C-S-C- LLC*, ID# 315990 (AAO Apr. 5, 2017)