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

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

MATTER OF M&EE-, LLC

DATE: SEPT. 25, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

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

The Petitioner, a “[w]holesaler of apparel and autos,” seeks to employ the Beneficiary in what it designates as a “Fiscal Officer” position. The Petitioner seeks to classify her as a nonimmigrant worker in a specialty occupation. *See* section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The Director, Vermont Service Center, denied the petition. The matter is now before us on appeal. The appeal will be dismissed.

The Director denied the petition, finding that the evidence of record did not establish that the proffered position qualifies for classification as a specialty occupation. An appeal was then filed by [REDACTED], a Virginia attorney, purportedly on behalf of the Petitioner.

In conducting our preliminary review of the appeal, we observed that the Form I-290B, Notice of Appeal or Motion, was accompanied by a Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, purporting to authorize [REDACTED] to represent the Petitioner in the appeal proceeding. This Form G-28, however, contained a markedly different signature of [REDACTED] who is identified elsewhere in the record as the Petitioner’s President, from his ostensible signatures on other documents in the record. We requested that the Petitioner provide specific evidence pertinent to that issue and accorded the Petitioner thirty days, plus three days for service by mail, in which to respond to our request for evidence. As of the date of this notice, we have not received a response to our request for evidence.

A petition may be summarily denied as abandoned, denied based on the record, or denied for both reasons if a petitioner or applicant fails to respond to a request for evidence or a notice of intent to deny by the required date. 8 C.F.R. § 103.2(b)(13)(i). As further provided in 8 C.F.R. § 103.2(b)(14), the failure to submit requested evidence that precludes a material line of inquiry shall be grounds for denying the petition.

As the Petitioner has not responded to our notice, the appeal will be dismissed, and the petition will be denied, due to the failure to submit requested evidence that precludes a material line of inquiry, making any remaining issues in this proceeding moot.

Matter of M&EE-, LLC

ORDER: The appeal is dismissed.

Cite as *Matter of M&EE-, LLC*, ID# 13139 (AAO Sept. 25, 201)