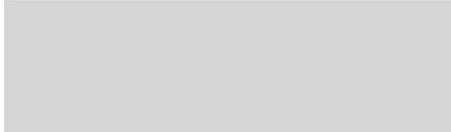




U.S. Citizenship
and Immigration
Services

(b)(6)



DATE: **AUG 10 2015**

PETITION RECEIPT #: 

IN RE: Petitioner: 
 Beneficiaries: 

PETITION: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(H)(ii)(b) of the
 Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(ii)(b)

ON BEHALF OF PETITIONER:

NO REPRESENTATIVE OF RECORD

Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case.

If you believe we incorrectly decided your case, you may file a motion requesting us to reconsider our decision and/or reopen the proceeding. The requirements for motions are located at 8 C.F.R. § 103.5. Motions must be filed on a Notice of Appeal or Motion (Form I-290B) **within 33 days of the date of this decision**. The Form I-290B web page (www.uscis.gov/i-290b) contains the latest information on fee, filing location, and other requirements. **Please do not mail any motions directly to the AAO.**

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, Vermont Service Center, denied this petition. The matter is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The petitioner submitted a Petition for a Nonimmigrant Worker (Form I-129) to employ the beneficiaries in what it designates as housekeeper positions, and to classify them as nonimmigrant temporary nonagricultural workers pursuant to section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(ii)(b).

The Director denied the petition on February 5, 2015; subsequently, on March 9, 2015, the petitioner filed a Notice of Appeal or Motion (Form I-290B). On the Form I-290B, Part 3, the petitioner checked the Box 1b, indicating that it is filing an appeal, and that a brief and/or additional evidence would be submitted within 30 days. However, to date, we have received neither a brief nor additional evidence from the petitioner. Accordingly, the record of proceeding is deemed complete as currently constituted.

The only comment submitted about the appeal is the following statement in its letter accompanying the Form I-290B:

Brief and additional evidence will be submitted to the Administrative Appeals Office within 30 days of filing the appeal.

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." In the instant case, the petitioner did not identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal. Therefore, the appeal must be summarily dismissed.¹

In visa petition proceedings, it is the petitioner's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013). Here, that burden has not been met.

ORDER: The appeal is summarily dismissed.

¹ As the summary dismissal is dispositive of the appeal, we will not address other material deficiencies that we have observed in the record of proceeding that would require dismissal of the appeal.