



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

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

MATTER OF Y-F- INC.

DATE: APR. 15, 2016

APPEAL OF TEXAS SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a food manufacturing company, seeks to classify the Beneficiary as an “alien of extraordinary ability” in business. *See* Immigration and Nationality Act (the Act) § 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). This classification makes visas available to foreign nationals who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation.

The Director, Texas Service Center, denied the petition. The Director concluded that the Petitioner had not provided documentation for the Beneficiary satisfying the initial evidence requirements set forth at 8 C.F.R. § 204.5(h)(3), which requires documentation of a one-time achievement or evidence that meets at least three of the ten regulatory criteria. The matter is now before us on appeal. The appeal will be summarily dismissed.

The Petitioner filed the Notice of Appeal or Motion, Form I-290B, without any supporting evidence relating to the Beneficiary’s eligibility for the classification sought. In Part 3 of the Form I-290B, the Petitioner checked box “1.b.” indicating “[m]y brief and/or additional evidence will be submitted to the AAO within 30 calendar days of filing the appeal.” Part 4 of the Form I-290B instructs the petitioner to “[p]rovide a statement that specifically identifies an erroneous conclusion of law or fact in the decision being appealed,” but the Petitioner did not include any such statement. The appeal was filed on January 4, 2016. As of this date, more than three months later, we have received nothing further.

The Petitioner’s appeal does not identify any erroneous conclusion of law or fact in the Director’s decision. It does not specifically challenge any of the Director’s findings or point to specific errors in the Director’s determination that the Beneficiary had not satisfied the evidentiary requirements set forth at 8 C.F.R. § 204.5(h)(3).

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 has not specifically addressed the reasons stated for denial and has not provided any evidence pertaining to the Beneficiary’s eligibility for the classification sought. We must therefore summarily dismiss the appeal.

Matter of Y-F- Inc.

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

Cite as *Matter of Y-F- Inc.*; ID# 17397 (AAO Apr. 15, 2016)