



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

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

In Re: 13656141

Date: DEC. 28, 2020

Appeal of Nebraska Service Center Decision

Form I-140, Petition for Multinational Managers or Executives

The Petitioner, an automobile import/export and repair company, seeks to permanently employ the Beneficiary as its president under the first preference immigrant classification for multinational executives or managers. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(C), 8 U.S.C. § 1153(b)(1)(C).

The Director of the Nebraska Service Center denied the petition, concluding that the record did not establish that: (1) the Beneficiary will be employed in a managerial or executive capacity in the United States; (2) the Beneficiary had been employed abroad in a managerial or executive capacity; and (3) the Petitioner has the ability to pay the Beneficiary's proffered wage. The matter is now before us on appeal.

In these proceedings, it is the Petitioner's burden to establish eligibility for the requested benefit. Section 291 of the Act, 8 U.S.C. § 1361. Upon *de novo* review, we will summarily dismiss the appeal.

On the Form I-290B, Notice of Appeal or Motion, the Petitioner marked Box 1.b. in Part 2, indicating that it would submit a brief and/or additional evidence to this office within 30 calendar days of filing the appeal. The Petitioner also provided a statement in Part 7 of the Form I-290B, asserting that the Director's conclusions constituted gross error. The record shows that the Petitioner did not supplement the record with an appeal brief further addressing the Director's grounds for denying the petition.

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.

Despite disputing the Director's conclusions, the Petitioner only submits generic statements on appeal that do not specifically address why the Director's conclusions were in error. The Petitioner has not provided a brief, evidence, or other statements that clearly address errors on the part of the Director. Therefore, consistent with 8 C.F.R. § 103.3(a)(1)(v), we will summarily dismiss the appeal.

In these proceedings, it is the Petitioner's burden to establish eligibility for the requested benefit. Section 291 of the Act, 8 U.S.C. § 1361. Here, that burden has not been met.

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