U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF C-E-USA INC.

DATE: JAN. 24, 2017

APPEAL OF TEXAS SERVICE CENTER DECISION

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

The Petitioner, an international student exchange business, seeks to classify the Beneficiary as an immigrant under Section 203(b)(2) of the Immigration and Nationality Act (the Act), and employ the Beneficiary permanently in the United States as an office manager. *See* Section 203(b)(2) of the Act, 8 U.S.C. § 1153(b)(2).

The Director, Texas 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 any erroneous conclusion of law or statement of fact for the appeal. 8 C.F.R. § 103.3(a)(1)(v).

On the Form I-290B, Notice of Appeal or Motion, the Petitioner stated that a brief or additional evidence would be submitted within 30 days of filing. On October 15, 2016, the Petitioner requested additional time to submit an expert opinion that the Petitioner believed would be "very valuable evidence in support of the Appeal." The Petitioner indicated that it was "inclined to submit [the brief and evidence] within 90 days from the filing of the Appeal" on September 16, 2016.

However, we have not received anything further from the Petitioner to date. Therefore, we must summarily dismiss the appeal.

The burden of proof in these proceedings rests solely 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-E-USA Inc.*, ID# 270565 (AAO Jan. 24, 2017)