U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 41001476

Date: JULY 17, 2026

Appeal of U.S. Citizenship and Immigration Services (USCIS) Decision

Form I-140, Immigrant Petition for Alien Workers (Extraordinary Ability)

The Petitioner is an aeronautical engineer who seeks classification as an alien of extraordinary ability. *See* Immigration and Nationality Act (the Act) section 203(b)(1)(A), 8 U.S.C. § 1153(b)(1)(A). This first preference classification makes immigrant visas available to those who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in their field through extensive documentation.

Through its Service Center Operations (SCOPS), USCIS denied the Form I-140, Immigrant Petition for Alien Workers (petition), concluding the record did not establish that the Petitioner had received a major, internationally recognized award, nor did he demonstrate that he met at least three of the ten regulatory criteria. The matter is now before us on appeal under 8 C.F.R. § 103.3. The Petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. Section 291 of the Act; *Matter of Chawathe*, 25 I&N Dec. 369, 375 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will dismiss the appeal.

We adopt and affirm SCOPS' decision. *See Matter of J-A-*, 29 I&N Dec. 253, 254 (BIA 2025) (citing *Matter of Burbano*, 20 I&N Dec. 872, 874 (BIA 1994); *see also Giday v. INS*, 113 F.3d 230, 234 (D.C. Cir. 1997) (noting that the practice of adopting and affirming the decision below "is not only common practice, but universally accepted"); *see also Garland v. Ming Dai*, 593 U.S. 357, 370–71 (2021) (noting an administrative appellate body's act of adopting and affirming the below decision is legitimate, incorporating the lower decision's analysis and reasoning on the issues into the appellate determination).

We note that the appeal does not identify any specific error SCOPS committed in their denial decision, which falls short of identifying a reason for the appeal. The Petitioner only restates his eligibility claims that he previously presented. Summary dismissal of an appeal is appropriate when the filing party only asserts the underlying trier of fact came to the wrong conclusion or expresses general disagreement with the lower decision and "fails to specify the reasons for the appeal." *Matter of Valencia*, 19 I&N Dec. 354, 355–56 (BIA 1986); *Matter of Davis*, 20 I&N Dec. 536, 537–38 (BIA 1992); *Matter of Keyte*, 20 I&N Dec. 158, 159 (BIA 1990); *Matter of Lozada*, 19 I&N Dec. 637, 639 (BIA 1988); *Matter of Lodge*, 19 I&N Dec. 500, 501 (BIA 1987); *Matter of Holguin*, 13 I&N Dec.

423, 425 (BIA 1969). Where a question of law is presented, supporting authority should be included, and where the dispute is on the facts, there should be a discussion of the particular details contested. *Valencia*, 19 I&N Dec. at 355. This is an irremeable error that the Petitioner cannot overcome within this proceeding.

ORDER: The appeal is dismissed.

NOTICE: This constitutes the final decision in this matter. The filing of a motion will not postpone the effect of the decision. 8 C.F.R. § 103.5(a)(1)(iv). Aliens who are not lawfully present, or who are otherwise inadmissible or deportable, may be subject to the commencement of removal proceedings under section 240 of the Act through the issuance of a Form I-862, Notice to Appear. Those proceedings may result in their removal from the United States and possible ineligibility for future visas or other immigration benefits.