U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 43217362

Date: JUNE 22, 2026

Appeal of USCIS Decision

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

The Petitioner 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.

U.S. Citizenship and Immigration Services (USCIS) denied the Form I-140, Immigrant Petition for Alien Workers (petition), concluding the record did not establish that the Petitioner did not warrant an approval considering the totality of the evidence. The matter is now before us on appeal under 8 C.F.R. § 103.3. We issued a notice of intent to dismiss (NOID) the appeal noting signature abnormalities throughout this record of proceeding. The Petitioner bears the burden of proof to demonstrate 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.

USCIS requires a valid signature on certain documents filed with the agency (request). 8 C.F.R. § 103.2(a)(2). Unless specifically authorized, an individual representing a petitioner must personally sign his or her own request before filing it with USCIS. On the Form I-290B, Notice of Appeal or Motion, the Petitioner purportedly signed the forms.

In reviewing the appeal, we observed that the various signatures located across the record of proceeding attributed to this individual differed visibly. On May 8, 2026, we issued a NOID to the Petitioner. Within this correspondence, we requested an explanation for these variances, along with sworn statements and copies of government-issued identification documents from the Petitioner and any other individual who signed the forms and documents in the record.

Without knowing who signed the documents we cannot recognize the appeal to have been properly filed by an affected party with legal standing in these proceedings. 8 C.F.R. § 103.3(a)(1)(iii)(B)–(2)(i). In addition, without knowing who signed the documentation, we cannot determine whether the petition was properly filed. *See generally* 8 C.F.R. § 103.2(a). Responding to

the NOID, the Petitioner provides a generalized set of reasons why any person's signature might differ, but she is unable to explain why her signatures are so distinctly different. She states:

> Any variation in the visual appearance of my signature across documents is the result of ordinary and natural factors, including but not limited to: signing on different physical surfaces (such as paper documents resting on a desk versus paper resting on other surfaces); the use of different writing instruments; signing under different circumstances of time, posture, and pressure; and the natural evolution and variation of my handwriting over time.

Here, the Petitioner has not identified which, if any, of the purported "ordinary and natural factors" that supposedly caused every signature on the non-USCIS immigration forms to appear so distinct from each of her signatures on the USCIS forms. While we do not consider her NOID response to be unresponsive, she did not offer an adequate rebuttal to our allegation that it appeared she did not personally sign the relevant immigration forms. We acknowledge her sworn affidavit that she did sign the forms, but those claims do not preponderantly demonstrate that she personally signed them rather than someone from the document preparation service she used to file both the Form I-290B and the Form I-140.

A trier of fact should consider the issues presented and provide a sufficiently reasoned analysis. They are not however, required to interpret evidence in the manner a petitioner advocates. Where two permissible views of evidence exist, a factfinder's choice between them cannot be considered erroneous. *Matter of G-C-I-*, 29 I&N Dec. 176, 179 (BIA 2025); *Matter of D-R-*, 25 I&N Dec. 445, 455 (BIA 2011) (citing *Anderson v. City of Bessemer City, N.C.*, 470 U.S. 564, 574 (1985) *remanded and aff'd in part* 27 I&N Dec. 105, 122 (BIA 2017). A trier of fact should consider the issues presented and provide a sufficiently reasoned analysis. They are not however, required to interpret evidence in the manner a petitioner advocates. *Matter of M-D-C-V-*, 28 I&N Dec. 18, 32 (BIA 2020); *Matter of J-C-H-F-*, 27 I&N Dec. 211, 217 (BIA 2018); *Matter of Z-Z-O-*, 26 I&N Dec. 586, 592 (BIA 2015); *D-R-*, 25 I&N Dec. at 454–55 (explaining that an trier of fact may make reasonable inferences from direct and circumstantial evidence in the record as a whole and is not required to accept a respondent's account where other plausible views of the evidence are supported by the record); *see also Matter of E-F-N-*, 28 I&N Dec. 591, 593 (BIA 2022) (noting that we are not required to adopt an applicant's explanation for an inconsistency if there are other permissible views of the evidence based on the record).

Similarly, we are not required to accept a petitioner's assertions, even if plausible, where there are other permissible views of the evidence based on the record. *Matter of G-C-I-*, 29 I&N Dec. at 179. As a result, even though the Petitioner's justification for the markedly different signatures—purportedly made by the same person—may be one possible explanation, we are not required to view it as the most likely scenario we will rely on within our determination.

While we accept the Petitioner's response as one possible, but overly generalized explanation, we do not consider it to be one that establishes that she was the actual individual who signed both the Form I-140 and the Form I-290B. *See generally* 1 *USCIS Policy Manual* B.2(A), https://www.uscis.gov/policymanual. If the Petitioner does not establish that she was the person who signed the Form I-290B, we cannot recognize the appeal to have been properly filed by an affected

party with legal standing in these proceedings. *See* 8 C.F.R. § 103.3(a)(1)(iii)(B). Nor can we decide that the Petitioner properly filed this appeal, and we will dismiss this filing. *See generally* 1 *USCIS Policy Manual*, *supra*, B.2(A).

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. The Petitioner has not met that burden. The appeal will be dismissed for the above stated reasons, with each considered an independent and alternative basis for the decision.

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.