U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF C-G-C-

DATE: OCT. 18, 2017

MOTION ON ADMINISTRATIVE APPEALS OFFICE DECISION

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

The Petitioner, a Spanish language specialist and teacher, seeks classification as an individual of extraordinary ability in education. *See* Immigration and Nationality 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.

The Director of the Texas Service Center denied the petition and we dismissed the subsequent appeal. The matter is now before us on a motion to reconsider. Upon review, we will deny the motion.

U.S. Citizenship and Immigration Services (USCIS) must deny a motion that does not satisfy applicable requirements. 8 C.F.R. § 103.5(a)(4). A motion to reopen must state new facts to be provided in the reopened proceeding. 8 C.F.R. § 103.5(a)(2). A motion to reconsider must state the reasons for reconsideration and be supported by any pertinent decisions to establish that the decision was based on an incorrect application of law or USCIS policy. 8 C.F.R. § 103.5(a)(3). A motion "is not a process by which a party may submit, in essence, the same brief presented on appeal and seek reconsideration by generally alleging error." *Matter of O-S-G-*, 24 I&N Dec. 56, 58 (BIA 2006).

The Petitioner submits two letters in support of the motion. The first letter acknowledges that "[t]here is no new fact or evidence" submitted in support of the motion and instead requests us to reconsider the appeal. The second letter is a narrative regarding the Petitioner's achievements and experience. The letter does not specify a law or USCIS policy, or state that our appeal dismissal decision was based on an incorrect application of such a law or policy.

Accordingly, we must deny the motion because it does not satisfy applicable requirements for a motion to reopen or a motion to reconsider. 8 C.F.R. § 103.5(a)(2)-(4).

ORDER: The motion to reconsider is denied.

Cite as *Matter of C-G-C-*, ID# 950355 (AAO Oct. 18, 2017)