U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

In Re: 43512874

Date: SEP. 3, 2026

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

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

The Petitioner, a [redacted], 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.

USCIS denied the petition, concluding that although the Petitioner satisfied at least three of the ten initial evidentiary criteria, as required, the totality of the evidence did not show, in a final merits determination, that the Petitioner has received sustained national or international acclaim and that he is among the small percentage at the very top of the field of endeavor. The matter is now before us on appeal pursuant to 8 C.F.R. § 103.3.

The Petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (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.

I. LAW

Section 203(b)(1)(A) of the Act makes visas available to immigrants with extraordinary ability if:

> (i) the alien has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation,
>
> (ii) the alien seeks to enter the United States to continue work in the area of extraordinary ability, and
>
> (iii) the alien's entry into the United States will substantially benefit prospectively the United States.

The term "extraordinary ability" refers only to those individuals in "that small percentage who have risen to the very top of the field of endeavor." 8 C.F.R. § 204.5(h)(2). The implementing regulation at 8 C.F.R. § 204.5(h)(3) sets forth a multi-part analysis. First, a petitioner can demonstrate sustained acclaim and the recognition of his or her achievements in the field through a one-time achievement (that is, a major, internationally recognized award). If that petitioner does not submit this evidence, then he or she must provide sufficient qualifying documentation that meets at least three of the ten criteria listed at 8 C.F.R. § 204.5(h)(3)(i) – (x) (including items such as awards, published material in certain media, and scholarly articles).

Where a petitioner meets these initial evidence requirements, we then consider the totality of the material provided in a final merits determination and assess whether the record shows sustained national or international acclaim and demonstrates that the individual is among the small percentage at the very top of the field of endeavor. *See Kazarian v. USCIS*, 596 F.3d 1115 (9th Cir. 2010) (discussing a two-part review where the documentation is first counted and then, if fulfilling the required number of criteria, considered in the context of a final merits determination); *see also Visinscaia v. Beers*, 4 F. Supp. 3d 126, 131-32 (D.D.C. 2013); *Rijal v. USCIS*, 772 F. Supp. 2d 1339 (W.D. Wash. 2011).

II. ANALYSIS

A. Evidentiary Criteria

Because the Petitioner has not claimed or established receipt of a major, internationally recognized award, he must satisfy at least three of the alternate regulatory criteria at 8 C.F.R. § 204.5(h)(3)(i) — (x). The Petitioner initially claimed to have met seven criteria:

- (i), lesser nationally or internationally recognized prizes or awards for excellence in the field;
- (ii), membership in associations which require outstanding achievements of their members;
- (iv), participation as a judge of the work of others in the field;
- (v), original contributions of major significance to the field;
- (vi), authorship of scholarly articles in the field in professional or major trade publications or other major media;
- (viii), leading or critical role for distinguished organizations or establishments; and
- (ix), high salary or other significantly high remuneration for services in relation to others.

USCIS determined that the Petitioner met four of these claimed evidentiary criteria: participation as a judge of the work of others in the field; authorship of scholarly articles in the field; having a leading or critical role for a distinguished organization; and that he has commanded a high salary. *See* 8 C.F.R. § 204.5(h)(3)(iv), (vi), (viii), (ix). However, in a final merits determination, USCIS concluded that the Petitioner did not show that he garnered sustained national or international acclaim and that his achievements have been recognized in the field of endeavor, demonstrating he is one of that small percentage who has risen to the very top of the field. Because USCIS concluded that the Petitioner has established at least three of the initial criteria, on appeal we will review the totality of the evidence in the context of a final merits determination below. *See generally* 6 *USCIS Policy Manual* F.2(B)(2), https://www.uscis.gov/policymanual.

B. Final Merits Determination

The Petitioner is a physician in private practice specializing in [redacted] He is currently practicing with [redacted] a private practice group in [redacted] Additionally, he serves as medical director for multiple [redacted] units in [redacted] and is clinical research director for a [redacted] research group. He obtained bachelor of medicine and bachelor of surgery degrees in [redacted] completed a residency in internal medicine with the [redacted] and a fellowship in [redacted] at [redacted] He is board certified in [redacted] and internal medicine. He claims to have extraordinary ability in the field of [redacted]

On appeal, the Petitioner contends that the two-step framework used by USCIS to evaluate the evidence is unlawful and contrary to the relevant regulations. The Petitioner cites to *Mukherji v. Miller*, No. 4:24-CV-3170 (D. Neb. Jan. 28, 2026), in support of this claim and also asserts that the framework violates the "Accardi doctrine, a principle of administrative law stating that agencies are bound to follow their own rules, even self-imposed procedural rules that limit otherwise discretionary decisions." The Petitioner contends that he has established that he meets at least three criteria and that he therefore demonstrates extraordinary ability; he asserts that the final merits determination is unlawful because it adds an additional requirement beyond the regulatory language.

Additionally, the Petitioner claims that USCIS did not properly consider the evidence in the record, particularly that evidence submitted in response to USCIS' notice of intent to deny (NOID). The Petitioner states that USCIS overlooked the Google Scholar (GS) page submitted in the NOID response and that the language in the NOID is too similar to the language in the denial, both indicating that USCIS did not sufficiently review or consider the NOID response. The Petitioner also emphasizes on appeal the support letters in the record, claiming that they establish his significant contributions to the field but were improperly dismissed.

First, we are not persuaded by the Petitioner's argument that USCIS' use of a two-step analysis in extraordinary ability adjudications is unlawful based on *Mukherji v. Miller*, an unpublished district court decision. In contrast to the precedential authority of a published decision of the U.S. Courts of Appeals in matters arising in their jurisdiction, we are not bound to follow a decision of a United States district court. *See Matter of K-S-*, 20 I&N Dec. 715 (BIA 1993). Additionally, while we may consider a court's reasoning when it is properly before us, unpublished opinions are not considered binding precedent. *See Salamalekis v. Comm. of Soc. Sec.*, 221 F.3d 828, 833 (6th Cir. 2000); *see also Suchite-Salguero v. Att'y Gen. United States*, 147 F.4th 355, 359-60 (3d Cir. 2025) ("[W]e have cautioned over and over again that non-precedential opinions carry little to no weight for future cases."). Additionally, we note that the *Mukherji* decision was issued by a district court in Nebraska and is therefore outside of the Petitioner's jurisdiction, which is in Alabama. For these reasons, we are not bound by the ruling of *Mukherji v. Miller* in the instant case.

Setting aside the decision in *Mukherji v. Miller*, the Petitioner has not otherwise established that USCIS violated its own regulations by evaluating the evidence in a final merits determination. The two-step analysis, described in USCIS Policy Memorandum PM-602-0005.1, and now incorporated into the *USCIS Policy Manual*, is binding on officers adjudicating petitions for individuals seeking classification as aliens of extraordinary ability. *See* USCIS Policy Memorandum PM-602-0005.1, *Evaluation of Evidence Submitted with Certain Form I-140 Petitions; Revisions to the*

Adjudicator's Field Manual (AFM) Chapter 22.2, AFM Update AD11-14 (Dec. 22, 2010); *see also* 6 *USCIS Policy Manual, supra*, at F.2(B). Therefore, we conclude that USCIS did not err by following its own controlling policy. Although the Petitioner disagrees with the policy, he has not provided legal support for his claim that the policy violates the regulations. Rather, the Petitioner cites to the "Accardi doctrine," presumably a reference to *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 265 (1954), in which the Court stated that immigration regulations carry the force and effect of law, including in binding the actions of the agency. We agree that USCIS is bound by its regulations; nevertheless, the Petitioner has not supported his claim that the two-step *Kazarian* framework violates the regulations.

Therefore, we will evaluate the totality of the evidence submitted to determine whether the Petitioner has demonstrated, by a preponderance of the evidence, his sustained national or international acclaim, that he is one of that small percentage at the very top of the field of endeavor, and that his achievements have been recognized in the field through extensive documentation. In a final merits determination, we analyze an individual's accomplishments and weigh the totality of the evidence to determine if his successes are sufficient to demonstrate that he has extraordinary ability in the field of endeavor. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2), (3); *see also Kazarian v. USCIS*, 596 F.3d at 1119-20; *see also generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2). In this matter, we determine the Petitioner has not shown his eligibility.

In considering the totality of the evidence, the Petitioner has not demonstrated that his achievements are reflective of a "career of acclaimed work in the field" as contemplated by Congress. 1990 U.S.C.C.A.N. 6710, 6739. Furthermore, the Petitioner has not shown that he has risen to that small percentage at the very top of the field of endeavor. *See* 8 C.F.R. § 204.5(h)(3). The commentary for Congress that a very high standard be set for aliens of extraordinary ability is reflected in this regulation by requiring the petitioner to present more extensive documentation than that required for lesser classifications. 56 Fed. Reg. 30703, 30704. For the reasons discussed below, we conclude that the Petitioner has not established that he enjoys a career that meets this very high standard. *See Amin v. Mayorkas*, 24 F.4th 383, 386-87 (5th Cir. 2002) (stating that the narrow definition reflects the stringency of the extraordinary ability standard).

First, regarding the Petitioner's original contributions to the field, as stated above the Petitioner emphasizes the letters of support in the record and contends that these establish the significance of his contributions. The Petitioner claims that these letters were improperly dismissed by USCIS and that they provide "detailed accounts of scientific advancements" led by the Petitioner. The record contains letters of support from leaders of professional medical associations, other renal medicine specialists, and professional colleagues of the Petitioner who claim that the Petitioner has conducted meaningful research, provides excellent care to his patients, and is an expert in his field. However, we conclude that the letters are not sufficiently persuasive or detailed to demonstrate sustained national or international acclaim.

For example, the record contains a letter from Dr. [redacted] President of the American Society of [redacted] Dr. [redacted] states that the Petitioner has made contributions to transplant science, citing one publication on [redacted] as an example. Dr. [redacted] also claims that the Petitioner is an excellent clinician and describes some of his successes with individual patients. Similarly, Dr. [redacted] President of the [redacted]

describes the Petitioner as a "leading physician-scientist" and claims that his work "has had a meaningful impact on the treatment of [redacted] disease and [redacted] research in the United States." In support of this claim, Dr. [redacted] discusses a study to understand [redacted] among hospitalized patients. Dr. [redacted] like Dr. [redacted] also describes some of the Petitioner's individual patient treatments and successes. Finally, Dr. [redacted] Dean of the [redacted] at the [redacted] states that the Petitioner "provides excellent clinical care to his patients," "conducts cutting-edge research," and describes studies that the Petitioner has conducted and claims that these have been important.

Although each of these letter writers claims that the Petitioner has participated in "meaningful" or "impactful" research, the writers do not corroborate these claims with specifics regarding applications or impacts of the Petitioner's research in the field, explain how this research resulted in a significant contribution, or otherwise support a finding that his contributions have resulted in sustained national or international acclaim. Letters that make general and expansive statements regarding the beneficiary and the beneficiary's accomplishments are generally not persuasive. *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(3). The letters do not claim, nor does the content show, that the Petitioner achieved national or international acclaim from the field. Moreover, the letters do not demonstrate that the Petitioner has attracted a level of attention placing him at the very top of his field. In addition, the letters do not show that he has enjoyed a career of acclaimed work. *See Jafarov v. United States Citizenship & Immigr. Servs.*, No. 23 CIV. 3372 (PAE), 2024 WL 69056, at *9 (S.D.N.Y. Jan. 5, 2024) (finding testimonial letters were insufficient to establish his relative status in the field and do not compare him to others).

Moreover, the authorship and publication of scholarly articles does not automatically place one at the top of the field. We acknowledge that the Petitioner submitted a copy of his GS page in response to the NOID, although the decision incorrectly states that the Petitioner did not submit this document. However, the Petitioner has not established how the GS page supports the letter writers' claims that his research has been impactful, that he has made significant contributions to the field, or that he has received sustained national or international acclaim. The GS page indicates that the Petitioner has co-authored 14 works which have received a total of 20 citations, with the top 2 receiving 9 and 6 citations, respectively. Ten of the 14 works have received no citations at all. The Petitioner did demonstrate that this small number of publications and handful of citations is consistent with a career of acclaimed work, sustained national or international acclaim, or being among the small percentage at the very top of the field. *See* section 203(b)(1)(A)(i) of the Act; 8 C.F.R. § 204.5(h)(2). The Petitioner, for instance, did not show the significance of his authorship or how his publication record compares to others who are viewed to be at the very top of the field. *See Bhanu v. Garland*, No. 22-103, 2023 WL 6119357, at *9 (E.D. Pa. Sept. 18, 2023) (upholding the finding that the Petitioner did not show the significance of authorships to reflect that he is among the small percentage at the very top of the field).

Regarding the Petitioner's roles in organizations with a distinguished reputation, the Petitioner claims to be affiliated with several research groups, medical groups, and hospitals. The Petitioner provided an employment letter and appointment agreements to show that he is employed as a physician with a private practice group, [redacted] in [redacted] and that through this employment he is also appointed to serve as medical director for several private [redacted] units, including one operated by [redacted] The Petitioner also states that he is serving as a research director and principal investigator for [redacted] that he is an

affiliate clinical assistant professor at the [redacted] that he is the [redacted] and that he is the [redacted] The Petitioner claimed in response to the NOID that these organizations "demonstrate high levels of distinction through their clinical impact, regulatory standing, and academic contributions."

On appeal, the Petitioner specifically discusses his affiliation with [redacted] a company that operates outpatient [redacted] clinics, and claims that USCIS overlooked the letter of support from this company. The letter states that [redacted] operates thousands of outpatient [redacted] clinics throughout the United States, and that the Petitioner serves as the medical director for one of these clinics. The letter also describes his service on an advisory board created by the company to improve treatment protocols. The Petitioner claims that in this role he was "tasked with refining national protocols for fluid management and [redacted] use in hemodialysis across thousands of clinics."

As stated above, USCIS determined that the Petitioner established the criterion at 8 C.F.R. § 204.5(h)(3)(viii), related to having a leading or critical role in an organization with a distinguished reputation. The Petitioner's employment letter from [redacted] states that he is the senior-most managing partner at the practice, that he provides excellent patient care, manages schedules, and serves as medical director at several outpatient [redacted] units in the area. The letter also states that he has twice served as the chair of [redacted] at [redacted] and made valuable contributions during both terms, and that he helped form the [redacted] where he is a principal investigator in a clinical drug trial. The letters from [redacted] and [redacted] both operators of [redacted] units, confirm that the Petitioner is appointed to serve as medical director at their respective [redacted] units. Additionally, the Petitioner provided evidence related to [redacted] that demonstrates its size and standing in the [redacted] care industry.

Although letters of support show that the Petitioner has provided valuable contributions to his employer and the organizations with which he is affiliated, we conclude that the Petitioner's claims are not sufficiently supported by extensive documentation to establish his sustained acclaim and recognition in the field. Section 203(b)(1)(A) of the Act. First, the record lacks documentary evidence to support some of the Petitioner's specific claims about his affiliations. For example, although multiple letters of support refer to his positions as a hospital department chair or vice-chair, the record does not contain letters from either [redacted] or [redacted] or other documentary evidence to confirm these appointments. Second, other than the evidence regarding [redacted] the record lacks credible and probative documentary evidence to establish the reputation of the other medical groups with which the Petitioner claims affiliations.

The letters of support generally highlight the Petitioner's work and state the author's opinion that the Petitioner is a skilled physician who provides excellent care to his patient and contributes to his field. In describing the Petitioner's work, the letters, at most, indicate that the Petitioner is a competent, respected figure within the field. *See generally* 6 *USCIS Policy Manual*, *supra*, F.2(B)(3). They do not contain sufficient information and explanation to show that the Petitioner is viewed by the overall field, rather than by a solicited few, to be among the upper echelon or that he has garnered recognition on a national or international scale, consistent with being among the small percentage at the very top

of the field of endeavor. *See Mishra v. Richardson*, No. 1:20-cv-991 (LMB/TCB), 2021 WL 1566071, at *3 (E.D. Va. Apr. 20, 2021) (finding that none of the plaintiff's letters point to evidence of extensive documentation of his accomplishments to show sustained national or international acclaim); *see also Bodhankar v. USCIS*, No. 1:19-CV-706 (MAD/CFH), 2020 WL 777211, at *5 (N.D.N.Y. Feb. 18, 2020) (finding the submitted letters failed to establish the plaintiff's contributions resulted in significant acclaim).

We also do not find that the evidence regarding the Petitioner's receipt of prizes or awards is indicative of sustained national or international acclaim. The record contains evidence of the Petitioner receiving some recognition, such as a 2013 [redacted] award "in recognition of your outstanding contributions to clinical research" from the [redacted] Forum and a certificate from the Health Sciences University for outstanding research and participation from 2012. As stated above, USCIS determined that the Petitioner did not establish that he meets the regulatory criterion at 8 C.F.R. § 204.5(h)(3)(i), related to prizes or awards, because the Petitioner did not provide evidence to demonstrate that the prizes or award are "esteemed and sought after by distinguished [redacted]" or that the awards are recognized nationally or internationally beyond the awarding entities. On appeal, the Petitioner does not contest this finding, nor does the Petitioner discuss his claimed awards in the context of a final merits determination.

We agree with USCIS that the record does not show how these awards are viewed by the field at large, and we therefore conclude that the Petitioner has not demonstrated that they are indicative of his being in that small percentage who have risen to the very top of the field of endeavor or that they are consistent with sustained national or international acclaim. *See* 8 C.F.R. § 204.5(h)(2); *see also Donskoy v. United States Citizenship & Immigr. Servs.*, No. 21-CV-04757-CRB, 2021 WL 5240224, at *5 (N.D. Cal. Nov. 11, 2021) (finding that what matters for the purpose of the visa classification is whether the award brought the petitioner individual acclaim); *see also Hamal v. U.S. Dep't of Homeland Sec.*, No. CV 19-2534 (RC), 2021 WL 2338316, at *4 (D.D.C. June 8, 2021), *aff'd sub nom. Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801 (D.C. Cir. Jan. 31, 2023) (upholding the finding that the plaintiff did not contextualize his awards throughout his career to show sustained national or international acclaim).

Regarding the Petitioner's membership in associations, the Petitioner submitted evidence of associate membership in Sigma Xi, a scientific research honor society, and designation as a fellow of the [redacted] USCIS determined that the Petitioner did not establish that these associations require outstanding achievements of their members, as judged by recognized national or international experts in the field, and that he therefore did not meet the regulatory criterion at 8 C.F.R. § 204.5(h)(3)(ii). On appeal the Petitioner claims that his [redacted] status meets the membership criterion because it is an "elite designation for those who meet rigorous standards" and is based on outstanding achievements.

We agree with USCIS that the evidence is not sufficient to demonstrate that the [redacted] membership requires outstanding achievements as judged by recognized experts. *See* 8 C.F.R. § 204.5(h)(3)(ii). The record shows that applying for fellowship in the [redacted] requires the applicant to demonstrate meeting four of seven requirements. These requirements include board certification in [redacted] 30 hours of teaching in [redacted] in the last two years, completing

continuing medical education (CME) credits, volunteer work, receiving grant funding, publishing in the field, and serving in the ASN. These requirements are more reflective of experience and active practice in the field, rather than outstanding achievements. Similarly, the record shows that associate membership in Sigma Xi requires an individual to have conducted independent investigation and written a report, a poster presentation, or contributed to a research project. Moreover, in considering this evidence in a final merits determination, the Petitioner has not explained how these qualifications are reflective of acclaim consistent with this highly restrictive classification. *See, e.g., Hamal v. United States Dep't of Homeland Sec.*, No. 21-5160, 2023 WL 1156801, at *3 (finding although the petitioner's membership demonstrated his professional stature, it did not "establish the exceptional level of distinction" required for the extraordinary ability visa).

As to the Petitioner's service as a judge of the work of others, although USCIS determined that this regulatory criterion was established, an evaluation of the significance of his experience is appropriate in a final merits determination to determine if such evidence indicates the required extraordinary ability for this highly restrictive classification. *See Kazarian*, 596 F. 3d at 1121-22. The Petitioner's appellate brief, however, does not discuss the relevance or significance of his judging involvement in the context of a final merits determination; instead, he reiterates his qualification for the initial regulatory criterion at 8 C.F.R. § 204.5(h)(iv). The only judging service that the Petitioner discusses on appeal is his selection by [redacted] to serve on an advisory board. He asserts that the letter confirming his affiliation with [redacted] is a "testimonial from a high-level corporate executive of a global leader in [redacted] care," and is evidence that was ignored by USCIS.

As stated above, the letter from [redacted] confirms his affiliation as a medical director of one of the company's [redacted] units and states that he served on an advisory board created by the company to improve treatment protocols. The Petitioner also submitted evidence of completing peer review for various medical journals, including a letter of support from one of these journals.

But the letter from [redacted] does not assert or otherwise indicate that the Petitioner garnered national or international acclaim based upon his service on this advisory board, nor does the letter indicate that service on the board is restricted to that small percentage of individuals who have risen to the very top of the field. *See* 8 C.F.R. § 204.5(h)(2). Similarly, the Petitioner did not demonstrate the significance of his peer review service and that it is indicative of national or international acclaim. The letter from the journal board member states that the Petitioner was invited to participate in peer review because the editorial team "recognized his expertise and professional standing in medicine and [redacted]" The letter also states that the Petitioner "possesses the knowledge and judgment necessary to critically evaluate complex medical research." Although this may demonstrate that the Petitioner has earned the respect of his colleagues, these statements do not reflect that the Petitioner has garnered sustained national or international acclaim. *See, e.g., Agrawal v. Miller*, No. 4:24CV3143, 2025 WL 2879217, at *23 (D. Neb. Sept. 12, 2025) (upholding the finding that plaintiff did not show how she judged to such an extent, or at a high enough level, that her judging surpasses the majority of the field and places her in the top echelon of the field).

Finally, although the Petitioner documented his high salary from [redacted] in 2025, the Petitioner did not establish that he commanded earnings commensurate with sustained national or international acclaim. The Petitioner did not show that his wages are tantamount to an individual who is among that small percentage at the very top of the field of endeavor. Although he

provided evidence to demonstrate that his salary is high relative to other [redacted] in [redacted], as required to meet the initial regulatory criterion, he did not demonstrate, for example, how his earnings compare to other [redacted] at the very top of the field, or that he has received notoriety or attention based on his earnings, setting himself apart from others in the field or placing him in the upper echelon. *See Bodhankar v. USCIS*, No. 1:19-CV-706 (MAD/CFH), 2020 WL 777211, at *5 (N.D.N.Y. Feb. 18, 2020) (finding that the plaintiff's high salary was not so high as to indicate that he has risen to the very top of the field).

The record as a whole, including the evidence discussed above, does not establish the Petitioner's eligibility for the benefit sought.[1] Here, the Petitioner seeks a highly restrictive visa classification, intended for individuals already at the top of their respective fields, rather than those progressing toward the top. *Matter of Price*, 20 I&N Dec. 953, 954 (Assoc. Comm'r 1994) (concluding that even major league level athletes do not automatically meet the statutory standards for classification as an individual of "extraordinary ability"); *Amin v. Mayorkas*, 24 F.4th at 394 (stating that extraordinary ability is such an elite level of accomplishment); *Lapteva v. Schuurmans*, No. 8:24CV83, 2025 WL 815087, at *1 (D. Neb. Mar. 10, 2025) (stating that extraordinary ability visas are intended to be available to only an exceedingly small amount of individuals with extraordinary ability). In this case, the Petitioner has not shown that the significance of his work is indicative of the required sustained national or international acclaim or that it is consistent with a career of acclaimed work in the field. *See* section 203(b)(1)(A) of the Act. While the Petitioner need not establish that there is no one more accomplished to qualify for the classification sought, the record is insufficient to demonstrate that he is among the small percentage at the top of his field. *See* 8 C.F.R. § 204.5(h)(2).

We have reviewed the entirety of the record, including those items of evidence which are not specifically analyzed in this decision. When USCIS provides a reasoned consideration to the petition, and has made adequate findings, it will not be required to specifically address each claim the Petitioner makes, nor is it necessary for it to address every piece of evidence the Petitioner presents. *Guaman-Loja v. Holder*, 707 F.3d 119, 123 (1st Cir. 2013) (citing *Martinez v. INS*, 970 F.2d 973, 976 (1st Cir. 1992)); *see also Kazemzadeh v. U.S. Atty. Gen.*, 577 F.3d 1341, 1351 (11th Cir. 2009); *Casalena v. U.S. INS*, 984 F.2d 105, 107 (4th Cir. 1993).

III. CONCLUSION

For the reasons discussed above, the Petitioner has not demonstrated his eligibility as an individual of extraordinary ability. The appeal will be dismissed for the above stated reasons.

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

[1] *See generally* 6 *USCIS Policy Manual*, *supra*, at F.2(B)(2) (providing that some evidence weighs more favorably on its own, while other evidence is more persuasive when viewed with other evidence).

may result in their removal from the United States and possible ineligibility for future visas or other immigration benefits.