U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF D-NY, INC.

DATE: SEPT. 12, 2017

APPEAL OF VERMONT SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, a ballroom dance studio, seeks to classify the Beneficiary as a foreign national of extraordinary ability in the arts. *See* Immigration and Nationality Act section 101(a)(15)(O)(i), 8 U.S.C. § 1101(a)(15)(O)(i). This O-1 classification makes nonimmigrant visas available to foreign nationals who can demonstrate their extraordinary ability through sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation.

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

The Petitioner did not provide a statement in support of the appeal that specifically identifies an erroneous conclusion of law or statement of fact in the decision being appealed. 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 the April 21, 2017, filing date. However, we have not received anything further from the Petitioner to date. Because the Petitioner has not identified a specific, erroneous conclusion of law or statement of fact in the Director's decision below, the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

Cite as *Matter of D-NY, Inc.*, ID# 664865 (AAO Sept. 12, 2017)