



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

In Re: 24510989

Date: FEB. 1, 2023

Appeal of Texas Service Center Decision

Form I-140, Petition for Multinational Managers or Executives

The Petitioner, a plumbing company, seeks to permanently employ the Beneficiary as “Executive Chief President” in the United States under the first preference immigrant classification for multinational executives or managers. Immigration and Nationality Act (the Act) section 203(b)(1)(C), 8 U.S.C. § 1153(b)(1)(C).

The Director of the Texas Service Center denied the petition, concluding the record did not establish, as required, that: 1) the Petitioner had a qualifying relationship with the Beneficiary’s foreign employer, 2) the Beneficiary would be employed in the United States in a managerial or executive capacity, and 3) the Beneficiary was employed in a managerial or executive capacity abroad. The matter is now before us on appeal. In these proceedings, it is the Applicant’s burden to establish eligibility for the requested benefit Section 291 of the Act, 8 U.S.C. § 1361. Upon *de novo* review, we will summarily dismiss the appeal.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

On the Form I-290B, Notice of Appeal or Motion, the Petitioner marked Box 1.c. in Part 2, indicating it was filing an appeal and that “[it] will not be submitting a brief and/or additional evidence.” Accordingly, the record will be considered complete as presently constituted. In a letter submitted on appeal, the Petitioner provided only two Beneficiary passport photos, the Form I-290B, and a copy of the Director’s decision. The Petitioner submitted no statement in the Form I-290B, nor in any of the provided supporting documentation, discussing the basis of its appeal. The Petitioner has not specifically identified any erroneous conclusion of law or statement of fact as a basis for the appeal. For this reason, we will summarily dismiss the appeal.

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