



U.S. Citizenship  
and Immigration  
Services

[REDACTED]

FILE: [REDACTED] Office: TEXAS SERVICE CENTER Date: JUN 15 2004

IN RE: Petitioner: [REDACTED]  
Beneficiary: [REDACTED]

PETITION: Immigrant Petition for Special Immigrant Religious Worker Pursuant to Section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(4), as described at Section 101(a)(27)(C) of the Act, 8 U.S.C. § 1101(a)(27)(C)

ON BEHALF OF PETITIONER:  
[REDACTED]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

*Robert P. Wiemann*  
Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The employment-based immigrant visa petition was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The petitioner is a Jewish elementary school. It seeks to classify the beneficiary as a special immigrant religious worker pursuant to section 203(b)(4) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(4), to perform services as a rabbi and director of Foreign Family-Student Religious and Cultural Absorption. The director determined that the petitioner had not established (1) that the beneficiary had the required two years of experience in the occupation, (2) the petitioner's ability to pay the beneficiary's salary, (3) that the petitioner is a qualifying tax-exempt religious organization, or (4) that the beneficiary entered the U.S. for the purpose of engaging in a religious occupation.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part, "[a]n 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, filed on June 17, 2003, counsel indicated that a brief would be forthcoming within thirty days. To date, nearly a year later, careful review of the record reveals no subsequent submission from counsel except for a change of address notice; all other documentation in the record predates the issuance of the notice of decision.

On the appeal form itself, counsel simply states that the director "erred in finding" the various grounds of ineligibility. These are not arguments, but conclusions unsupported by premises. Counsel's appeal statement contains no specific allegation of error. The bare assertion that the director somehow erred in rendering the decision is not sufficient basis for a substantive appeal.

Inasmuch as counsel has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, the appeal must be summarily dismissed.

**ORDER:** The appeal is dismissed.