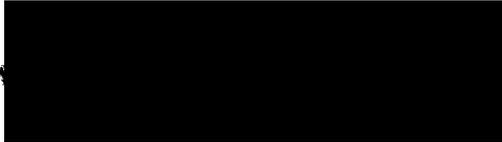




U.S. Citizenship
and Immigration
Services

C I



File: [Redacted] Office: TEXAS SERVICE CENTER Date: [Redacted]

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)

IN BEHALF OF PETITIONER:

SELF-REPRESENTED

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, 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 church. 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 religious worker. The director determined that the beneficiary's volunteer work did not establish that she had been performing work as a religious worker continuously for at least the two year period immediately preceding the filing of the petition. The director also found that the petitioner failed to establish its tax-exempt status and that it had the ability to pay the proffered wage.

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 August 18, 2003, the petitioner indicated that a brief would be forthcoming within thirty days. To date, ten months later, a review of the record reveals no subsequent submission; all other documentation in the record predates the issuance of the notice of decision.

The statement submitted in conjunction with the appeal form reads simply:

[The beneficiary] has been a member of Iglesia Bautista Agua Viva for three years. She is currently working as a religious instructor on a volunteer basis. [The beneficiary] has received all religious certification from Mexico. Iglesia Bautista Agua Viva is currently trying to build up funds so that the church may employ her on a permanent basis.

We the members of Iglesia Bautista Agua Viva ask that the petition for residency remain open pending review of appeal.

As the petitioner has failed to assert that the director's findings were incorrect or based on an erroneous conclusion of law, the petitioner has not overcome any of the director's findings. No further evidence has been submitted on 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 regulations mandate the summary dismissal of the appeal.

ORDER: The appeal is dismissed.