



U.S. Citizenship
and Immigration
Services

61

[Redacted]

File: [Redacted] Office: CALIFORNIA SERVICE CENTER

Date: SEP 01 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)

IN 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.

Handwritten signature of Robert P. Wiemann in black ink.

Robert P. Wiemann, Director
Administrative Appeals Office

~~PUBLIC COPY~~

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, California 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). The director denied the petition on September 26, 2003, based upon a determination that the petitioner had failed to establish its tax-exempt status under section 501(c)(3) of the Internal Revenue Code or provide such evidence to establish eligibility under said section of the code.

The petitioner, through counsel, filed a timely appeal on October 20, 2003.

On the Form I-290B Notice of Appeal counsel states: "Appellant is exempt under Revenue Code Section 501(c)(3)."

Counsel also indicates that a brief and/or evidence would be forthcoming within thirty days. However, to date, over nine months later, review of the record reveals no subsequent submission. All other documentation in the record predates the issuance of the notice of decision.

As counsel, in his single statement provided on appeal, does not claim that any of the director's findings are incorrect or based on an erroneous conclusion of law, the petitioner has failed to overcome the specific findings of the director. In the absence of any allegation detailing specific errors of fact, law, or Citizenship and Immigration Services' policy made by the director, or any additional evidence to establish the petitioner's tax exempt status, we cannot find that the petitioner's submission qualifies as a substantive appeal.

Accordingly, the regulations mandate the summary dismissal of the appeal.

ORDER: The appeal is dismissed.