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U.S. Citizenship  
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Services

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FILE: WAC 03 085 53474 Office: CALIFORNIA SERVICE CENTER Date: **MAY 18 2005**

IN RE: Petitioner: [Redacted]  
Beneficiary: [Redacted]

PETITION: Nonimmigrant Petition for Religious Worker Pursuant to Section 101(a)(15)(R)(1) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1)

ON BEHALF OF PETITIONER:



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 Director, California Service Center, denied the nonimmigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

When the director denied the petition, the director stated that the petitioner had 30 days in which to file an appeal for review by the AAO. The regulations, however, make no provision to allow the petitioner to appeal the denial of an R-1 nonimmigrant visa petition.

Because there is no provision to allow the petitioner to appeal the director's decision, and because the regulations grant the AAO no regulatory authority to review such an appeal, the appeal cannot be accepted, and therefore must be rejected. The director's erroneous assertion that the decision could be appealed does not give the AAO authority to review such an appeal.

**ORDER:** The appeal is rejected.