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U.S. Citizenship
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FILE: [REDACTED] Office: TEXAS SERVICE CENTER Date: **JUL 13 2007**
SRC 06 032 53720

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:

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.

Maura Deadnick
fr Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Director, Texas Service Center, denied the employment-based immigrant visa petition. The matter 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 (the Act), 8 U.S.C. § 1153(b)(4), to perform services as a pastor. The director determined that the petitioner had not established that the beneficiary had the requisite two years of continuous work experience as a pastor immediately preceding the filing date of the petition.

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, an official of the petitioning church states: “The beneficiary and I will be supplementing the [record with] documentation that can prove that [the beneficiary] was paid for full-time work with our church for [a] period of two years prior to filing the Form I-360 and correct several errors that were submitted by the previous attorney that was handling this case.” No evidence accompanied the filing of Form I-290B. Therefore, the appeal consists entirely of the assertion that further evidence is forthcoming.

The petitioner filed the appeal on January 5, 2007, and indicated at that time that further evidence would be forthcoming within thirty days. To date, over six months later, careful review of the record reveals no subsequent submission; all other documentation in the record predates the issuance of the notice of decision.

The assertion that further evidence exists is not sufficient basis for a substantive appeal, if the petitioner does not submit that evidence. The claim that this unspecified evidence will, once submitted, establish the beneficiary’s eligibility cannot and does not suffice as grounds for overturning the director’s decision.

Inasmuch as the record does not contain the promised supplementary evidence, and the petitioner 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.