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Bureau of Citizenship and Immigration Services

ADMINISTRATIVE APPEALS OFFICE  
425 Eye Street N.W.  
BCIS; AAO, 20 Mass, 3/F  
Washington, D.C. 20536



File:

Office: Vermont Service Center

Date:

JUN 05 2003

IN RE: Petitioner:  
Beneficiary:



Petition: 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:



**INSTRUCTIONS:**

This is the decision 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.

If you believe the law was inappropriately applied or the analysis used in reaching the decision was inconsistent with the information provided or with precedent decisions, you may file a motion to reconsider. Such a motion must state the reasons for reconsideration and be supported by any pertinent precedent decisions. Any motion to reconsider must be filed within 30 days of the decision that the motion seeks to reconsider, as required under 8 C.F.R. § 103.5(a)(1)(i).

If you have new or additional information that you wish to have considered, you may file a motion to reopen. Such a motion must state the new facts to be proved at the reopened proceeding and be supported by affidavits or other documentary evidence. Any motion to reopen must be filed within 30 days of the decision that the motion seeks to reopen, except that failure to file before this period expires may be excused in the discretion of the Bureau of Citizenship and Immigration Services (Bureau) where it is demonstrated that the delay was reasonable and beyond the control of the applicant or petitioner. *Id.*

Any motion must be filed with the office that originally decided your case along with a fee of \$110 as required under 8 C.F.R. § 103.7.

Robert P. Wiemann, Director  
Administrative Appeals Office



**DISCUSSION:** The immigrant visa petition was denied by the Director, Vermont Service Center. An appeal was dismissed by the Associate Commissioner for Examinations, now the Director, Administrative Appeals Office (AAO). The matter is now before the AAO on motion to reopen. The motion will be dismissed.

The petitioner filed a Form I-360 Petition for Special Immigrant on April 8, 1997, seeking classification as a special immigrant religious worker. The petition was approved and the approval was subsequently revoked by the center director on June 28, 2001. An untimely appeal was rejected by the Associate Commissioner for Examinations on May 6, 2002. The instant motion to reopen was filed on July 11, 2002 more than two months after the most recent decision in this matter.

According to 8 C.F.R. § 103.5(a)(1)(i), a motion must be filed within thirty days of the decision. The motion in this matter was untimely filed.

**ORDER:** The motion is dismissed.