

CA



U.S. Citizenship
and Immigration
Services

[Redacted]

FILE: [Redacted]

Office: VERMONT SERVICE CENTER

Date:

4/13/2014

IN RE: Petitioner:
Beneficiary:

[Redacted]

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:

[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.

Robert P. Wiemann
Robert P. Wiemann, Director
Administrative Appeals Office

Administrative Appeals Office
U.S. Department of Homeland Security
Washington, DC 20529

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, Vermont Service Center. The petition is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a Catholic diocese. 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 priest. The director determined that the petitioner had not established that the beneficiary had been engaged continuously in a qualifying religious vocation or occupation for two full years immediately preceding the filing of the petition.

The petitioner timely filed the Form I-290B, Notice of Appeal to the Administrative Appeals Unit, on which it stated that the beneficiary exercised his religious vocation for the requisite period and therefore qualifies for the immigrant visa. The petitioner also indicates that it requests an extension of time in which to submit a brief and/or other evidence but did not request a specific time period in which to submit further documentation. The petitioner states that if the beneficiary were granted an R-1 (Alien in a Religious Occupation) non-immigrant visa, the petitioner would withdraw its appeal.

The record reflects that the beneficiary was approved for an R-1 visa on March 26, 2004. However, as of the date of this decision, more than ten months after the appeal was filed, the AAO has not received a request for withdrawal from the petitioner and has received no further documentation. Therefore, the record will be considered complete as presently constituted.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

An 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.

As the petitioner has failed to identify specifically any erroneous conclusion of law or a statement of fact in this proceeding, the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed.