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U.S. Citizenship
and Immigration
Services

CU



FILE:



Office: VERMONT SERVICE CENTER

Date: JUL 28 2004

EAC 03 077 52256

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:

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.

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

DISCUSSION: The preference visa petition was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The petitioner seeks classification of 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), in order to employ him as a minister.

The director denied the petition, finding that the petitioner failed to establish that the petitioner qualifies as a tax-exempt organization and has the ability to pay the proffered wage. The director further found that the petitioner had failed to establish that the beneficiary had been continuously engaged as a religious worker on a full-time basis for at least the two years preceding the filing of the petition. Finally, the director found that the petitioner failed to establish that the proffered position qualified for the visa classification.

On appeal, the petitioner asserts that its difficulties were caused by its attorney "who among other errors, listed herself as petitioner." This "error" was not material to the director's decision.

On appeal, the petitioner indicated that it would submit additional evidence within thirty days of the filing of the appeal. More than eight months have lapsed since the appeal was filed and nothing more has been submitted to the record.

The petitioner failed to address specifically the grounds for denial set forth in the decision of the director.

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.

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

ORDER: The appeal is dismissed.