

01

U.S. Department of Homeland Security
20 Mass. Rm. A3042, 425 I Street, N.W.
Washington, DC 20536



U.S. Citizenship
and Immigration
Services

[Redacted]

File: [Redacted]

Office: TEXAS SERVICE CENTER

Date: 2 9 2004

IN RE: Petitioner:
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)

IN 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, Director
Administrative Appeals Office

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

The petitioner seeks to classify the beneficiary as a special immigrant religious worker pursuant to section 203(b)(4) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(4), to perform services as a minister. The director denied the petition on July 1, 2003.

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, filed on August 4, 2003, the petitioner indicated that a brief would be forthcoming within thirty days. To date, ten 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 statement on the appeal form reads:

The reason why we will appeal the decision taken by the BCIS on July 8, 2003 is because we really need Brother [REDACTED] has been a blessing for our church and he has taken part in our mission to reach people for the Kingdom of God. We will send [sic] the request information within 30 days, and a brief.

As the petitioner does not claim that any of the director’s findings are incorrect or based on an erroneous conclusion of law the petitioner has failed to overcome the specific findings of the director. In the absence of any allegation detailing specific errors of fact or law made by the director, we cannot find that the petitioner’s submission qualifies as a substantive appeal.

Inasmuch as the petitioner has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, the regulations mandate the summary dismissal of the appeal.

ORDER: The appeal is dismissed.