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U.S. Citizenship
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Services

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FILE: EAC 04 026 51121 Office: VERMONT SERVICE CENTER

Date FEB 14 2005

IN RE: Petitioner:
Beneficiary:



PETITION: Nonimmigrant Petition for Religious Worker Pursuant to Section 101(a)(15)(R)(1) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1)

ON BEHALF OF PETITIONER:



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.

Mari Johnson

for Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The Director, Vermont Service Center, denied the nonimmigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

When the director denied the petition, the director correctly indicated that the regulations make no provision to allow the petitioner to appeal the denial of an R-1 nonimmigrant visa petition.

Because there is no provision to allow the petitioner to appeal the director's decision, the appeal cannot be accepted, and therefore must be rejected.

Apart from the Form I-290B Notice of Appeal, other materials submitted by the petitioner refer to the filing as a motion to reopen or reconsider. Pursuant to 8 C.F.R. § 103.5(a)(1)(ii), jurisdiction over motions lies with the office that rendered the decision that is the subject of the motion, in this case the Vermont Service Center.

ORDER: The appeal is rejected.