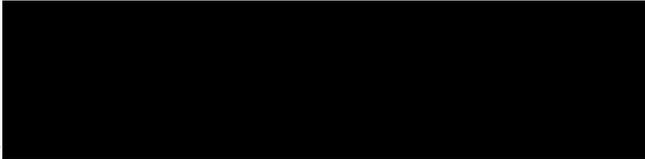




U.S. Citizenship  
and Immigration  
Services

prevent clearly defined  
invasion of personal privacy

**PUBLIC COPY**



CI

FEB 15 2005

FILE: [Redacted]  
WAC 01 218 50361

Office: CALIFORNIA SERVICE CENTER Date:

IN RE: Petitioner: [Redacted]  
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:

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 employment-based immigrant visa petition was denied by the Director, California Service Center. The Administrative Appeals Office (AAO) dismissed a subsequent appeal. The matter is now before the AAO on a motion to reopen or reconsider. The motion will be dismissed.

A motion to reconsider must state the reasons for reconsideration and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or Citizenship and Immigration Services (CIS) policy. 8 C.F.R. § 103.5(a)(3). A motion to reopen must state the new facts to be provided and be supported by affidavits or other documentary evidence. 8 C.F.R. § 103.5(a)(2).

The AAO dismissed the petitioner's appeal, finding that the petitioner had not sufficiently established that the beneficiary had been continually employed as a minister for two full years preceding the filing of the visa petition.

On motion, the petitioner states that the beneficiary has two years experience as a full-time pastor and submits additional documentation. The petitioner submits an October 2003 "certification" from the [REDACTED] in the Philippines in which the district superintendent states that the beneficiary has been a pastor [REDACTED] from February 2000 to "the present." An additional "job history" signed by the district superintendent indicates that the beneficiary served as a district licensed pastor with the church from February 2000 to March 2001, and as an ordained minister from March 2001 "to the present."

The information contained in the documentation submitted on motion presents no new facts. The petitioner again failed to provide corroborative documentary evidence, such as canceled paychecks, pay vouchers, or other contemporaneous or objective documentation of the beneficiary's prior work experience. Going on record without supporting documentary evidence is not sufficient for purposes of meeting the burden of proof in these proceedings. *Matter of Treasure Craft of California*, 14 I&N Dec. 190 (Reg. Comm. 1972).

As the petitioner failed to present new facts supported by documentary evidence in its motion to reopen, or to cite any precedent decisions in support of its motion to reconsider and does not argue that the previous decisions were based on an incorrect application of law or CIS policy, the petitioner's motion will be dismissed.

The burden of proof in these proceedings rests solely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. Here, the petitioner has not sustained that burden. 8 C.F.R. § 103.5(a)(4) states that "[a] motion that does not meet applicable requirements shall be dismissed." Accordingly, the motion will be dismissed, the proceedings will not be reopened, and the previous decisions of the director and the AAO will not be disturbed.

**ORDER:** The motion is dismissed.