



U.S. Citizenship
and Immigration
Services

Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

PUBLIC COPY

CI



FILE: [REDACTED]
EAC 04 136 50142

Office: VERMONT SERVICE CENTER

Date: NOV 15 2005

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.

Mari Johnson

2 Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, Vermont Service Center. A subsequent appeal was rejected as not filed by an affected party. An appeal filed by the petitioner was rejected as untimely filed; however, the director treated the late appeal as a motion pursuant to 8 C.F.R. § 103.3(a)(2)(v)(B)(2). On motion, the director affirmed the previous decision. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a "religious denomination." 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 pastor. 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 a Form I-290B, Notice of Appeal to the Administrative Appeals Unit, on which it stated that "more evidence and documentation is to be provided" within 30 days of filing the appeal. As of the date of this decision, however, more than six months after the appeal was filed, no further documentation has been received by the AAO.¹ 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.

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

ORDER: The appeal is summarily dismissed.

¹On May 26, 2005, the AAO received a second Form I-290B, without fee, signed by [REDACTED], who indicated that he was an attorney and represented the petitioner. However, Mr. [REDACTED] did not submit a Form G-28, Notice of Entry of Appearance as Attorney or Representative, authorizing him to act on behalf of the petitioner. Therefore, statements of Mr. [REDACTED] on the Form I-290B are not relevant to these proceedings.