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U.S. Department of Homeland Security
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U.S. Citizenship and Immigration Services

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FILE: WAC 07 053 50911 Office: CALIFORNIA SERVICE CENTER Date: NOV 08 2007

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

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.


Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Director, California 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 provided instructions on how to appeal the decision to the AAO. This language was included in error, because the regulations do not provide for appeals of R-1 denials. The director's erroneous inclusion of appeal instructions in the denial notice does not supersede the AAO's regulatory lack of appellate authority regarding R-1 nonimmigrant religious worker petitions.

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.

ORDER: The appeal is rejected.