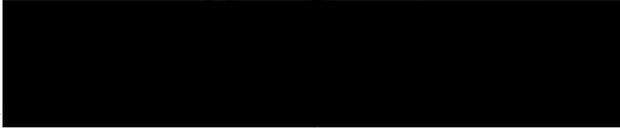


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U.S. Department of Homeland Security  
Citizenship and Immigration Services

**identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy**



ADMINISTRATIVE APPEALS OFFICE  
CIS, AAO, 20 Mass, 3/F  
425 I Street N.W.  
Washington, DC 20536

FILE: EAC 02 080 50158 Office: Vermont Service Center

Date: OCT 23 2003

IN RE: Petitioner:  
Applicant:



APPLICATION: Application for Change of Nonimmigrant Status Pursuant to 8 C.F.R. § 248.3(a)

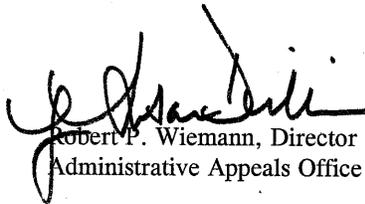
ON BEHALF OF APPLICANT:



**PUBLIC COPY**

**INSTRUCTIONS:**

This is the decision 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 petition for a nonimmigrant worker was filed as an application for a change of the applicant's status in the United States to that of an R-1 Religious Worker, pursuant to 8 C.F.R. § 248.3(a). The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The petition was denied by the Director, Vermont Service Center. A motion to reopen was subsequently filed, and the director affirmed his previous decision.

On March 27, 2003, counsel filed an appeal on behalf of the petitioner. The regulation at 8 C.F.R. § 103.5(a) states:

*(6) Appeal to AAO from Service decision made as a result of a motion. A field office decision made as a result of a motion may be applied to the AAO only if the original decision was appealable to the AAO.*

The regulation cited above precludes the AAO from considering any appeal that is filed pursuant to the denial of an application to change a nonimmigrant status. Accordingly, the appeal will be rejected.

**ORDER:** The appeal is rejected.