U.S. Department of Homeland Security
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20536

U.S. Citizenship and Immigration Services

C-1

[redacted]

File: [redacted] Office: CALIFORNIA SERVICE CENTER Date: JUL 9 2004

IN RE: Petitioner: [redacted]
Beneficiary: [redacted]

Petition: Immigrant 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)

IN BEHALF OF PETITIONER:

[redacted]

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.

Elizabeth O'Brien
Robert P. Wiemann, Director
Administrative Appeals Office

identifying data deleted to prevent clearly unwarranted invasion of personal privacy

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DISCUSSION: The employment-based immigrant visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The petitioner is an Orthodox Jewish Day school. It seeks to classify the beneficiary as a special immigrant religious worker pursuant to section 203(b)(4) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(4). The director denied the petition on September 17, 2003.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part, "[a]n 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 Form I-290B Notice of Appeal, filed on October 14, 2003, indicates the following reason for appeal:

> The Petitioner is clearly a religious organization as it is existing only as a Yeshiva a school of religious Judaic education, and the beneficiary is a teacher of religious studies and religious instructors are listed in the regulations as performing a religious occupation. The beneficiary has supplied letters from the petitioner stating that she has worked 35 hours per week for the 2 qualifying years. These two years were not voluntary service but rather she was paid in the form of tuition credit for her children attending school. The case should be reviewed and approved.

Counsel for the petitioner indicated that a brief and/or evidence would be submitted to the AAO within 30 days. To date, nine months later, review of the record reveals no subsequent submission; all other documentation in the record predates the issuance of the notice of decision.

As the statement listed as the reason for appeal does not make any detailed assertion referring to specific errors of fact or conclusions of law, the petitioner has failed to overcome the findings of the director. In the absence of any allegation detailing specific errors of law or fact, we cannot find that the petitioner's submission qualifies as a substantive appeal.

Accordingly, the regulations mandate the summary dismissal of the appeal.

ORDER: The appeal is dismissed.