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

U.S. Citizenship and Immigration Services

[redacted]

File: [redacted] Office: TEXAS SERVICE CENTER Date: JUN 2 9 2004

IN RE: Petitioner: [redacted]
Beneficiary:

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

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

The petitioner seeks to classify himself 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), to perform services as an evangelist. The director denied the petition on July 8, 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."

On the Form I-290B Notice of Appeal, filed on September 9, 2003, counsel indicated that a brief would be forthcoming within sixty days. To date, nine months later, careful review of the record reveals no subsequent submission; all other documentation in the record predates the issuance of the notice of decision.

The statement on the appeal form reads:

> Petitioner appeals the [d]ecision rendered by the TSC because they feel they can prove that beneficiary has been working in the same capacity 2 years prior to filing I-360. Petitioner previously submitted documentation to show that beneficiary is an ordained minister and as further requested by the Service, Petitioner will also submit; within 60 days, evidence of what is needed to receive a Certificate of Ordination. Also, as further requested, Petitioner will send evidence of beneficiary's background of business to show that he is qualified to manage and work in a business type atmosphere. Petitioner feels they need 60 days to submit a brief because documents are being retrieved from Germany and other various countries.

The petitioner, through counsel has failed to overcome the specific findings of the director. Counsel does not claim that any of the director's findings are incorrect or based on an erroneous conclusion of law. In the absence of any allegation detailing specific errors made by the director as well as the failure to submit any further evidence, we cannot find that the petitioner's submission qualifies as a substantive appeal.

Inasmuch as counsel has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, the regulations mandate the summary dismissal of the appeal.

ORDER: The appeal is dismissed.