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

U.S. Citizenship and Immigration Services

C1

[redacted]

File: [redacted] Office: TEXAS SERVICE CENTER Date: [illegible]

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 is a temple. 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), to perform services as a priest. The director denied the petition on July 28, 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 August 19, 2003, counsel indicated that a brief would be forthcoming within thirty days. To date, ten 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:

> We have additional information to demonstrate the:
>
> 1. [B]eneficiary is following a vocation;
> 2. [P]etitioner can support the beneficiary;
> 3. [P]etitioner is tax exempt; and
> 4. [B]eneficiary is necessary for petitioner's foundation.

As counsel does not claim that any of the director's findings are incorrect or based on an erroneous conclusion of law, counsel has failed to overcome the specific findings of the director. 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.