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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

D13

[REDACTED]

Date: **FEB 06 2012** Office: CALIFORNIA SERVICE CENTER

FILE: [REDACTED]

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:

[REDACTED]

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The Director, California Service Center, denied the employment-based nonimmigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The petitioner seeks to extend the beneficiary's status as a nonimmigrant religious worker pursuant to section 101(a)(15)(R)(1) of the Act to perform services as a religious instructor (imam). The director determined that the petitioner had not established that it is a bona fide nonprofit religious organization, that the beneficiary is qualified for the proffered position, that it has extended a qualifying job offer to the beneficiary, and how it intended to compensate the beneficiary.

In a letter dated May 26, 2011, the AAO notified the petitioner that U.S. Citizenship and Immigration Services (USCIS) records indicate that the beneficiary left the petitioning organization on September 30, 2009 and the United States on December 30, 2010. The beneficiary's departure from the petitioning organization and the United States raised the issue as to whether the petitioner seeks to enter the United States to work for the petitioning organization as required by the regulation at 8 C.F.R. § 214.2(r)(1)(iv) and to work for at least twenty hours per week as required by the regulation at 8 C.F.R. § 214.2(r)(1)(iv).

In its letter, the AAO sought more information from the petitioner to verify the bona fides of the job offer including an affirmation from the petitioner that it still intended to employ the beneficiary and a request for a written withdrawal of the appeal if it no longer had the intent. The petitioner failed to respond to the AAO's request for evidence. The failure to submit requested evidence that precludes a material line of inquiry shall be grounds for denying the petition. 8 C.F.R. § 103.2(b)(14).

Accordingly, as the petitioner failed to respond to the AAO's request for evidence, the appeal is dismissed and the petition remains denied.

ORDER: The appeal is dismissed.