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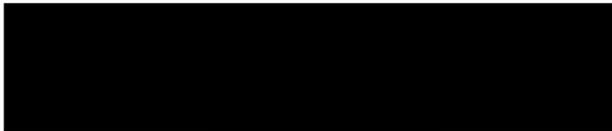
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE:



WAC 07 042 50288

Office: CALIFORNIA SERVICE CENTER

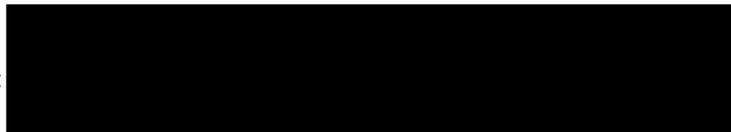
Date:

AUG 30 2007

IN RE:

Petitioner:

Beneficiary:



PETITION: Petition for Alien Fiancé(e) Pursuant to Section 101(a)(15)(K) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(K)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The nonimmigrant visa petition was denied by the Director, California Service Center, and is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed. Although the record includes a Form G-28, Notice of Entry of Appearance as Attorney or Representative, the AAO notes that the individual listed is not an attorney and has provided insufficient evidence to establish that she may represent the applicant pursuant to the regulation at 8 C.F.R. § 292.1. As such, the AAO will not recognize this individual as a representative.

The petitioner is a naturalized citizen of the United States who seeks to classify the beneficiary, a native and citizen of Ethiopia, as the fiancé of a United States citizen pursuant to section 101(a)(15)(K) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(K).

On February 22, 2007 Citizenship and Immigration Services (CIS) requested that the petitioner submit a completed Form G-325A, Biographic Information sheet, for the beneficiary. To date, the petitioner has not submitted the requisite form. The Director denied the petition after determining that the petitioner had not submitted the Form G-325A for the beneficiary. *Decision of the Director*, dated March 30, 2007.

On appeal, the petitioner acknowledges that she failed to submit the Form G-325A for the beneficiary. She does not provide the missing documentation.

Section 6.B. of the filing instructions for the Form I-129F requires the petitioner to submit a completed and signed Form G-325A, Biographic Information sheet for herself and the beneficiary.

Section 8 C.F.R. § 103.2(a) states:

- (1) General. Every application, petition or other document submitted on a form prescribed by this chapter shall be executed and filed in accordance with the instructions contained on the form, each instruction being hereby incorporated into the particular section of the regulations requiring its submission...

Although the record includes a Form G-325A, Biographic Information sheet, on behalf of the petitioner, it does not include a Form G-325A, Biographic Information sheet, on behalf of the beneficiary. As the petitioner has not complied with the instructions of the Form I-129F, the appeal will be dismissed.

The denial of the petition is without prejudice. The petitioner may file a new I-129F petition on the beneficiary's behalf.

The burden of proof in these proceedings rests solely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner has not met that burden.

ORDER: The appeal is dismissed.