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U.S. Citizenship  
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FILE: [REDACTED]  
EAC 05 259 52228

Office: VERMONT SERVICE CENTER

Date: JUN 20 2007

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)

ON BEHALF OF PETITIONER:



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.

*Maura Deadnick*  
for Robert P. Wiemann, Chief  
Administrative Appeals Office

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

We note that the Form I-360 petition identifies Haitian Nazarene Church as the petitioner. Review of the record, however, indicates that the alien beneficiary is the petitioner. Pursuant to 8 C.F.R. § 103.2(a)(1), every petition must be executed and filed in accordance with the instructions on the form. 8 C.F.R. § 103.2(a)(2) requires the petitioner to sign the petition. Part 9 of Form I-360, "Signature," is the portion of the form dedicated to the signature of the petitioner; instructions in Part 9 include the attestation that the contents of the petition are true and correct. Here, no church official signed Part 9 of the Form I-360. Instead, the alien beneficiary signed this part of the form. Thus, the alien himself took responsibility for the petition, and must be considered to be the petitioner.

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 June 21, 2006, counsel indicated that further evidence would be forthcoming within sixty days. To date, nearly a year 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 AAO contacted counsel via fax on May 2, 2007, allowing counsel five business days to confirm whether or not counsel had submitted the promised supplement to the record. The record does not indicate that counsel responded to the AAO's message. The AAO considers the record to be complete as it now stands.

The statement on the appeal form consists solely of the request for additional time to gather evidence. The bare assertion that further evidence exists, but has not yet been obtained, is not sufficient basis for 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 appeal must be summarily dismissed.

**ORDER:** The appeal is dismissed.