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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



C₁

FILE: [Redacted] Office: CALIFORNIA SERVICE CENTER Date: FEB 03 2011

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:

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, Texas Service Center, initially approved the employment-based immigrant visa petition. Subsequently, the Director, California Service Center (the director) properly served the petitioner with a notice of intent to revoke, and later revoked the approval of the petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The AAO will summarily dismiss the appeal.

The petitioner is a [REDACTED]. It seeks to classify the beneficiary as a 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), to perform services as an imam. The director determined that the petitioner had not established that the beneficiary had the required two years of continuous, qualifying work experience immediately preceding the filing date of the petition, or that a qualifying job offer exists.

On the Form I-290B Notice of Appeal, filed on August 10, 2009, counsel indicated that a brief would be forthcoming within thirty days. To date, over 17 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. Therefore, the appeal form itself appears to constitute the entire appeal.

Counsel, on appeal, cites case law to the effect that “good and sufficient cause” is necessary to justify revocation of an approved immigrant petition. The phrase “good and sufficient cause” derives from *Matter of Esteime*, 19 I&N Dec. 450 (BIA 1987). This general discussion of prior case law is not sufficient basis for a substantive appeal, because it does not show how the director erred in this particular proceeding. Counsel attempts to link this discussion to the proceeding at hand, stating:

In its response to the NOIR [notice of intent to revoke], Petitioner put forth a number of grounds supporting its position that the revocation of the visa petition at issue herein was not based on “good and sufficient cause.” In its ultimate revocation of the visa, CIS dismissed much of Petitioner’s claims regarding the issue of whether good and sufficient cause existed such that the visa in question should be revoked. Petitioner renews the claims made in its response to the NOIR that good and sufficient cause did not exist such that revocation of the approved visa petition was warranted and respectfully requests review of such determination before the Administrative Appeals Office.

Counsel, on appeal, offers no specific information relevant to the proceeding at hand. The appeal contains only the general assertion that the director failed to show good and sufficient cause for revocation, and the request that the AAO should review the record with that assertion in mind. Counsel contests no specific finding of fact and offers only the barest sketch of a supposed legal error by the director. We do not find counsel’s arguments on appeal to be 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, we must summarily dismiss the appeal.

ORDER: The appeal is dismissed.