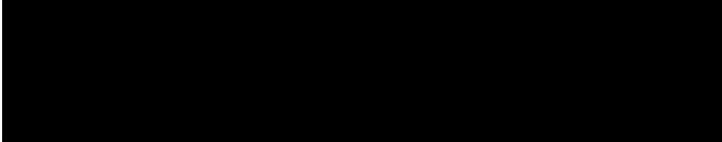


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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



**U.S. Citizenship
and Immigration
Services**



C1

Date: Office: CALIFORNIA SERVICE CENTER
APR 03 2012

FILE: [REDACTED]
WAC [REDACTED]

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:

SELF REPRESENTED

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.

Thank you,


Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The Director, California Service Center, denied the employment-based preference visa petition on October 14, 2009. The petitioner appealed the decision to the Administrative Appeals Office (AAO) on November 10, 2009. The AAO dismissed the appeal on April 19, 2011. The petitioner filed a subsequent appeal with the AAO on May 24, 2011. The petitioner's May 24, 2011 will be rejected.

The petitioner is a church. It seeks to employ the beneficiary permanently in the United States pursuant to section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(3) as a leader of a praise ministry.

In her October 14, 2009 decision, the director determined that that the petitioner had failed to establish that the proposed duties of the position constitute a religious occupation or relate to a traditional religious function. The AAO dismissed the petitioner's appeal on April 19, 2011. On May 24, 2011, the petitioner appealed the AAO's April 19, 2011 decision rather than filing a motion to reopen or reconsider.

The petitioner's May 24, 2011 appeal must be rejected. The AAO does not exercise appellate jurisdiction over AAO decisions. The AAO exercises appellate jurisdiction over the matters described at 8 C.F.R. § 103.1(f)(3)(iii) (as in effect on February 28, 2003). See DHS Delegation Number 0150.1; 8 C.F.R. § 103.3(a)(iv). Accordingly, the appeal is not properly before the AAO.

Therefore, as the appeal was not properly filed, it will be rejected. 8 C.F.R. §103.3(a)(2)(v)(A)(1).

ORDER: The appeal is rejected.