

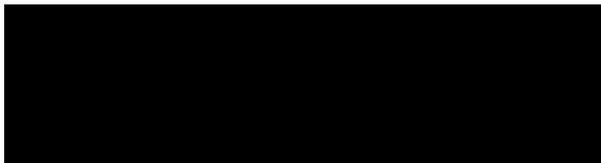
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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services



C₁

DATE: **APR 24 2012** Office: CALIFORNIA SERVICE CENTER

FILE:

IN RE: Petitioner:
Beneficiary:

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.

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 employment-based immigrant visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a church. 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 a senior pastor. The director determined that the petitioner had failed to submit verifiable evidence to establish that it has the intent and ability to compensate the beneficiary.

On the Form I-290B Notice of Appeal, filed on December 6, 2010, the petitioner indicated that a brief would be forthcoming within thirty days. On January 10, 2011, USCIS received a brief from [REDACTED], purportedly as a representative for the petitioner. The record does not contain a Form G-28, Notice of Appearance as Attorney or Representative signed by the petitioner to authorize such representation and [REDACTED] is not eligible to represent applicants or petitioners in matters filed with USCIS. Therefore the AAO considers the petitioner to be self-represented. Further, the AAO will not consider any documents submitted by an ineligible individual.

In Part 3 of the Form I-290B, "Basis for the Appeal or Motion," the petitioner states that that it is "requesting this reconsideration due to officer's error as a matter of law," but fails to specifically address the reasons stated for the denial and to identify any erroneous conclusion of law or statement of fact on the part of the director. Accompanying the Form I-290B, the petitioner submits an affidavit from the senior pastor and founder of Fountain of Grace Church, a parent organization of the petitioning church, indicating that the Fountain of Grace Church will temporarily pay the beneficiary's salary. The petitioner additionally submitted evidence regarding the finances of Fountain of Grace Church and evidence of a loan and mortgage involving the beneficiary and the petitioning church. Again, however, the petitioner offers no explanation regarding how these new documents demonstrate error on the part of the director based upon the record that was before him.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) provides that "[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." The petitioner has not specifically addressed the reasons stated for denial and offers no substantive basis for the filing of the appeal. As the petitioner failed to provide any specific statement or argument regarding the basis of his appeal, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.