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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**

[REDACTED]

C<sub>1</sub>

Date: Office: CALIFORNIA SERVICE CENTER  
JAN 12 2012

FILE: [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:

[REDACTED]

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, California Service Center, first denied the employment-based immigrant visa petition on April 2, 2010 and then re-mailed its decision to the petitioner on April 13, 2010. The petitioner appealed the decision on May 13, 2010. The Administrative Appeals Office (AAO) will summarily dismiss the appeal.

The petitioner seeks to classify the beneficiary pursuant to section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(3) as a special immigrant religious worker. The director determined that that the beneficiary had engaged in unauthorized employment and that the petitioner had failed to establish that the beneficiary worked continuously in a qualifying religious occupation or vocation for two full years immediately preceding the filing of the visa petition. The director also found that the petitioner did not intend to hire or compensate the beneficiary as evidenced by a failed site visit.

On appeal, counsel merely stated that U.S. Citizenship and Immigration Services (USCIS) incorrectly first sent its decision to the wrong address for the petitioner and that the petitioner had filed its appeal within the correct time period following USCIS's sending of the decision to the correct address. Counsel stated that he would be submitting a separate brief to the AAO within 30 days.

Counsel submitted the appeal on May 13, 2010. As of this date, more than a year and eight months later, the AAO has received nothing further, and the regulation and instructions on the Form I-290B require that any brief shall be submitted directly to the AAO. 8 C.F.R. §§ 103.3(a)(2)(vii) and (viii).

As stated in 8 C.F.R. § 103.3(a)(1)(v), an appeal shall be summarily dismissed if the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

Counsel here has not specifically addressed the reasons stated for denial and has not provided any additional evidence. He has not even expressed disagreement with the director's decision. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed.