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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

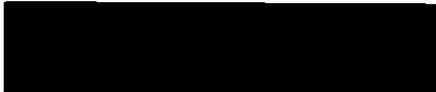


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Date: Office: CALIFORNIA SERVICE CENTER

JUL 13 2012

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:



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 December 8, 2009. The petitioner appealed the decision to the Administrative Appeals Office (AAO) on January 7, 2010. The AAO dismissed the appeal on July 7, 2011. The petitioner filed a subsequent appeal with the AAO on August 4, 2011. The AAO will reject the appeal.

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 bible teacher.

In her December 8, 2009 decision, the director determined that the petitioner had not established that it is a bona fide nonprofit religious organization, that it exists as a religious organization, and that there is a valid job offer to the beneficiary. The AAO dismissed the petitioner's appeal on July 7, 2011. On August 4, 2011, the petitioner appealed the AAO's decision rather than filing a motion to reopen or reconsider.

The petitioner's August 4, 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.

ORDER: The appeal is rejected.