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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: JUL 17 2012 Office: CALIFORNIA SERVICE CENTER



IN RE:



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 AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to 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, denied the employment-based immigrant visa petition on November 3, 2011. The petitioner appealed the decision on December 5, 2011. 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 the petitioner had failed to establish that the beneficiary was engaged in continuous, authorized employment throughout the two-year qualifying period and that the petitioner had failed to establish that the beneficiary was qualified for the religious occupation of the proffered position.

On appeal, counsel for the petitioner stated that the petitioner would submit documents and evidence within 30 days in order to establish that U.S. Citizenship and Immigration Services (USCIS) erred in denying the beneficiary's Form I-360 petition. Counsel merely asserted that the petitioner sought to reverse the USCIS conclusion that the beneficiary was not qualified in the religious occupation of the proffered position. Counsel did not address the director's finding that the petitioner had failed to establish that the beneficiary was engaged in continuous, authorized employment throughout the two-year qualifying period.

The petitioner submitted the appeal on December 5, 2011. As of this date, over seven 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.

The petitioner here has not specifically addressed the reasons stated for denial and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.