

*Information is related to
the case of [redacted]
Division of [redacted]*

PUBLIC COPY

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]

C₁

DATE: **JUN 25 2012** OFFICE: CALIFORNIA SERVICE CENTER

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:

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 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
Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The Director, California Service Center, (“the director”) denied the employment-based immigrant visa petition. The petitioner timely filed an appeal to the denied petition. The matter is now before the Administrative Appeals Office (“AAO”) on appeal. The AAO will dismiss the appeal.

The alien seeks classification 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 minister for the [REDACTED] California. On March 31, 2011, the self-petitioner filed a Form I-360 petition. On July 19, 2011, the director denied the petition, finding that the self-petitioner had not been continuously working in lawful status for at least the two year period immediately preceding the filing of the petition.

On appeal, the self-petitioner merely stated that:

THE APPEAL IS BASED ON THE FOLLOWING FACTS:
THE ALIEN HAS BEEN A RELIGIOUS WORKER FOR 27 (TWENTY SEVEN) YEARS, AND WE ALREADY SUBMITTED ALL KINDS OF EVIDENCE IN THIS REGARDS.
THE ALIEN ENTERED UNITED STATES [sic] LEGALLY WITH A VISA AND BECAUSE THERE WAS A PREVIOUS APPLICATION OF AN I-360 WHICH WAS FILED BACK IN 2004 (ATTACHED ARE PROOF OF PREVIOUS CASE) AND THAT WAS THE REASON WHY THE ALIEN WAS STILL WORKING AND WAITING FOR THE CASE’S RESULTS.
ATTACHED, PLEASE FIND A COPY OF THE I-360 WHERE PAGE 8 IS MARKED WITH THE APPROPRIATE INFORMATION YOU REQUESTED.

The self-petitioner also resubmitted a copy of his Form I-360 petition and evidence referring to a purported previously filed Form I-360 petition, the first page of a letter from Pacific Immigration Law Office dated June 21, 2004, and a copy of one page of his passport.

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 self-petitioner here has not specifically addressed the reasons stated for denial. Nothing that the self-petitioner stated on appeal or submitted rebuts the findings of the director. Although the petitioner claims that he entered the United States legally and refers to a previously filed Form I-360 petition, he has submitted no evidence of either claim and makes no argument to establish where the director erred in her decision. The director acknowledged the petitioner’s initial status as a B-2 nonimmigrant but concluded that after that status expired, the petitioner failed to establish that he held any further lawful status. The self-petitioner has not addressed the director’s underlying issue, and has not alleged or demonstrated any error on the part of the director. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.