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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: Office: CALIFORNIA SERVICE CENTER



MAY 30 2012

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 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 with the field office or service center that originally decided your case by filing a 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 January 16, 2012. The petitioner appealed the decision on February 2, 2012. 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 petitioner had failed to submit initial evidence demonstrating that it is a bona fide non-profit religious organization in the United States. The director also found that the petitioner had failed to provide verifiable evidence regarding how it intended to compensate the beneficiary; that the petitioner had failed to demonstrate that the beneficiary was a member of the same religious denomination as the petitioner throughout the two-year qualifying period; that the petitioner had failed to establish that the position qualifies as a religious occupation; and that the petitioner had failed to establish that the beneficiary was engaged in authorized employment throughout the two-year qualifying period.

On appeal, the petitioner merely stated that it had information, statements of fact, and statutes to support its position, which it would be submitting to the AAO with a brief within 30 days.

The petitioner submitted the appeal on February 2, 2012. As of this date, more than three 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 petitioner has not even expressed disagreement with the director's decision. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.