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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: **MAY 31 2012** Office: CALIFORNIA SERVICE CENTER



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 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 employment-based immigrant visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

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 minister of music and media specialist. The director determined that the petitioner had failed to establish that the beneficiary had the requisite two years of continuous, lawful, qualifying work experience and had failed to establish its ability to compensate the beneficiary.

In Part 3 of the Form I-290B, "Basis for the Appeal or Motion," the petitioner did not provide a statement explaining any erroneous conclusion of law or fact in the decision being appealed. In a letter accompanying the Form I-290B, the signatory states: "I respect and agree with the findings and decisions of the USCIS however I ask for pardon for all our indescressions [sic] and lack of knowledge where the applicable laws are concerned." In the letter, the petitioner does not identify any erroneous conclusion of law or statement of fact in the director's decision, but rather the petitioner attests to the beneficiary's character and his involvement as "a valuable asset to the church and the community." The petitioner also states that the beneficiary's "present situation is not because of negligence, as he honors all laws, but the period of waiting on a decision has led to his present immigration status." The petitioner submits evidence of the beneficiary's family's ties to the community, including the birth certificate and immunization records of his younger son, born in the United States, the third grade report card and honor roll certificate of his older son, and a record of the beneficiary's mortgage for a property in [REDACTED] Georgia. The petitioner additionally submits copies of the beneficiary's income tax returns for the years 2007 to 2010. However, the petitioner offers no explanation regarding how these new documents demonstrate error on the part of the director based upon the record that was before him.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) provides that "[a]n officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal." The petitioner has not specifically addressed the reasons stated for denial and offers no substantive basis for the filing of the appeal. As the petitioner failed to provide any specific statement or argument regarding the basis of his appeal, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.