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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: **SEP 10 2012** Office: CALIFORNIA SERVICE CENTER

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:

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.

Thank you,

Perry Rhew  
Chief, Administrative Appeals Office

**DISCUSSION:** The Director, California Service Center, denied the employment-based preference visa petition on July 6, 2010. The petitioner appealed the decision to the Administrative Appeals Office (AAO) on August 5, 2010. The AAO dismissed the appeal. The petitioner filed a subsequent appeal with the AAO on April 25, 2012. The AAO will reject the appeal.

The self-represented petitioner is a church.<sup>1</sup> 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 teacher-trainer.

In her July 6, 2010 decision, the director determined that the petitioner had not established that the beneficiary had the requisite two years of *continuous, lawful, qualifying work experience* immediately preceding the filing date of the petition, and that the petitioner had not established how it would compensate the beneficiary. The AAO dismissed the petitioner's appeal on March 22, 2012. On April 25, 2012, the petitioner appealed the AAO's decision rather than filing a motion to reopen or reconsider.

The petitioner's April 25, 2012 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.

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<sup>1</sup> An official with the petitioner signed the Form I-290B, Notice of Appeal or Motion. While the petitioner submitted a brief from the beneficiary's attorney on appeal, the record does not contain a Form G-28, Notice of Appearance as Attorney or Representative signed by the petitioner. Thus, the AAO considers the petitioner self-represented.