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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Office of Administrative Appeals MS 2090  
Washington, DC 20529-2090



U.S. Citizenship and Immigration Services

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[Redacted]

FILE: [Redacted] Office: CALIFORNIA SERVICE CENTER Date: **SEP 23 2010**

IN RE: Petitioner: [Redacted]  
Beneficiary: [Redacted]

PETITION: Nonimmigrant Petition for Religious Worker Pursuant to Section 101(a)(15)(R)(1) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1)

ON BEHALF OF PETITIONER:

[Redacted]

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 law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must 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 nonimmigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The AAO will summarily dismiss the appeal.

The petitioner is a Buddhist temple. It seeks to classify the beneficiary as a nonimmigrant religious worker under section 101(a)(15)(R)(1) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1), to perform services as an abbot. The director determined that the petitioner failed to show that the beneficiary has belonged to the petitioner's religious denomination for at least two years immediately preceding the filing of the petition; that the beneficiary would work at least 20 hours per week; or that the petitioner has the material resources to support the beneficiary.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part, "[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."

On the Form I-290B Notice of Appeal, [REDACTED] the surname sometimes abbreviated to [REDACTED], owner of the petitioning organization, stated: "The decision contains numerous factual errors. For example, it misquotes and mischaracterizes information I gave the USCIS representative." The initial appeal statement did not specify any particular errors or mischaracterizations. The general allegation that such errors exist is not, itself, sufficient grounds for appeal. The petitioner must identify the errors and show how and why they are, in fact, errors. Acknowledging this, [REDACTED] requested "an extension of time . . . to submit evidence and explanations regarding these factual errors."

When the petitioner filed the appeal on January 11, 2010, counsel indicated that a brief would be forthcoming within thirty days. The record contains no timely supplement to the record. To date, more than eight months after the filing of the appeal, the only new submission in the record is an undated letter, postmarked April 12, 2010, in which [REDACTED] states that the temple urgently needs to employ the beneficiary because "we are in . . . bad shape" and "have no monk[s] at the Temple" except for short-term, temporary workers on loan from other organizations. [REDACTED] adds that the beneficiary "assumed a leadership role [as a B]uddhist monk."

In this latest, untimely statement on appeal, the petitioner does not identify any of the director's alleged errors or mischaracterizations. The petitioner makes no effort to show that the director's decision was incorrect. The petitioner simply asserts that it is in "desperate need" of the beneficiary's services.

Inasmuch as the petitioner has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, we must summarily dismiss the appeal.

**ORDER:** The appeal is dismissed.