

**identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

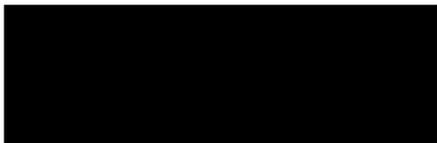
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

D6



FILE:

WAC 07 024 51616

Office: CALIFORNIA SERVICE CENTER

Date: OCT 10 2007

IN RE:

Petitioner:

Beneficiary:

PETITION: Petition for Alien Fiancé(e) Pursuant to Section 101(a)(15)(K) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(K)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The nonimmigrant visa petition was denied by the Director, California Service Center, and is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

The petitioner is a naturalized citizen of the United States who seeks to classify the beneficiary, a native and citizen of the Dominican Republic, as the fiancée of a United States citizen pursuant to section 101(a)(15)(K) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(K).

The director denied the petition after determining that the record was incomplete and did not contain the requested G-325A Forms required for a petition under section 214(d) of the Act and under the regulations at 8 C.F.R. § 103.2(a). *Decision of the Director*, dated April 27, 2007.

Section 214(d) of the Act, 8 U.S.C. § 1184(d), states, in pertinent part, that a fiancé(e) petition:

. . . shall be approved only after satisfactory evidence is submitted by the petitioner to establish that the parties have previously met in person within two years before the date of filing the petition, have a bona fide intention to marry, and are legally able and actually willing to conclude a valid marriage in the United States within a period of ninety days after the alien's arrival. . . .

8 C.F.R. § 103.2(a) states in pertinent part:

- (1) *General.* Every application, petition or other document submitted on a form prescribed by this chapter shall be executed and filed in accordance with the instructions contained on the form, each instruction being hereby incorporated into the particular section of the regulations requiring its submission...

The AAO notes that the instructions for completing Form I-129F state at Item 6(A), Page 3 that the petitioner and beneficiary need to submit completed G-325A forms.

The petitioner filed the Petition for Alien Fiancé(e) (Form I-129F) with Citizenship and Immigration Services on October 31, 2006. On January 25, 2007, the Director requested the following documentation from the petitioner: the circumstances of meeting the beneficiary with evidence of meeting the beneficiary in person during the two-year period immediately preceding the filing of the petition, proof of U.S. citizenship, copies of divorce decrees, photos of the petitioner and beneficiary and completed G-325A forms for the petitioner and beneficiary. On April 17, 2007 the petitioner submitted all of the following documentation except the completed G-325A forms.

On appeal, the petitioner submits completed G-325A forms only for himself. Accordingly, the AAO finds that the petitioner has failed to comply with the instructions for filing the Form I-129F and the appeal will be dismissed.

ORDER: The appeal is dismissed.