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



U.S. Citizenship
and Immigration
Services

B6

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FILE: [REDACTED] Office: CALIFORNIA SERVICE CENTER Date: SEP 07 2007
WAC 07 034 52528

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

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 sustained.

The petitioner is a naturalized citizen of the United States who seeks to classify the beneficiary, a native and citizen of Haiti, 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).

On February 13, 2007 Citizenship and Immigration Services (CIS) requested that the petitioner submit evidence of meeting the beneficiary within the two-year period immediately preceding the filing of the Form I-129F and a completed Form G-325A, Biographic Information sheet, for the beneficiary. While the petitioner submitted evidence of meeting the beneficiary within the two-year period, the Director denied the petition after determining that the petitioner had not submitted the Form G-325A, Biographic Information sheet for the beneficiary. *Decision of the Director*, dated March 22, 2007.

Section 6.B. of the filing instructions for the Form I-129F requires the petitioner to submit a completed and signed Form G-325A, Biographic Information sheet for himself and the beneficiary.

Section 8 C.F.R. § 103.2(a) states:

- (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...

On appeal, the petitioner submits a completed Form G-325A, Biographic Information sheet for the beneficiary. As such, the appeal will be sustained.

The burden of proof in these proceedings rests solely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner has met that burden.

ORDER: The appeal is sustained.