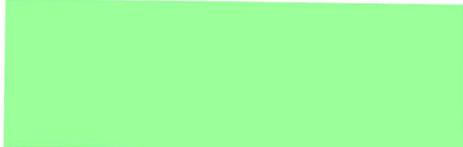




U.S. Citizenship
and Immigration
Services

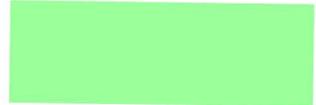
(b)(6)



Date: **APR 25 2014**

Office: CALIFORNIA SERVICE CENTER

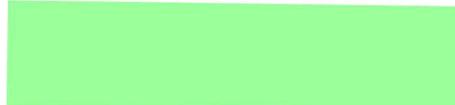
FILE:



IN RE:

Petitioner:

Beneficiary:



PETITION:

Petition for Alien Fiancé(e) Pursuant to § 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:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions.

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, California Service Center (the director), denied the nonimmigrant visa petition and the Administrative Appeals Office (AAO) sustained a subsequent appeal on December 6, 2013. The AAO determined in its December 6, 2013 decision that the petitioner established eligibility for a Petition for Alien Fiancé(e) (Form I-129F). Upon review, the AAO found that it erred in its determination because the petitioner had not met all of the Form I-129F evidentiary requirements. The petitioner failed to respond to Part C.2 and Part C.3 on the Form I-129F. The AAO reopened the matter on its own motion pursuant to 8 C.F.R. § 103.5(a)(5)(ii) for the purpose of issuing a request for evidence (RFE) to afford the petitioner an opportunity to complete and submit a new page 3 of the Form I-129F in its entirety, including a new signature and date. The petitioner has now provided a newly completed Form I-129F, and has met all of the Form I-129F evidentiary requirements.

In these proceedings, the petitioner bears the burden of proof to establish his eligibility by a preponderance of the evidence. Section 291 of the Act, 8 U.S.C. § 1361; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013); *Matter of Chawathe*, 25 I&N Dec. 369, 375 (AAO 2010). In this case, he has met his burden. The appeal will be sustained and the petition will be approved.

ORDER: The appeal is sustained. The petition is approved.