



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF R-A-A-

DATE: AUG. 4, 2016

APPEAL OF VERMONT SERVICE CENTER DECISION

PETITION: FORM I-129F, PETITION FOR ALIEN FIANCÉ(E)

The Petitioner, a U.S. citizen, seeks to classify the Beneficiary as his fiancée. *See* Immigration and Nationality Act (the Act) section 101(a)(15)(K), 8 U.S.C. § 1101(a)(15)(K). A U.S. citizen may petition to bring a fiancé(e) (and that person's children) to the United States in K nonimmigrant visa status for marriage. The U.S. citizen must establish that the parties have previously met in person within 2 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 90 days of admission.

The Director, Vermont Service Center denied the petition. The Director concluded that the Petitioner had not submitted initially required evidence and denied the petition.

The matter is now before us on appeal. In the appeal, the Petitioner submits additional evidence and claims that he included all his supporting documents and that the Director's decision does not make clear what additional documents are needed. The Petitioner asks that we consider all the evidence that has been submitted.

Upon *de novo* review, we will dismiss the appeal.

I. LAW

The Petitioner is seeking to classify the Beneficiary as his fiancée.

Subject to subsections (d) and (p) of section 214 of the Act, section 101(a)(15)(K)(i) of the Act provides nonimmigrant classification for an alien who "is the fiancee or fiance of a citizen of the United States . . . and who seeks to enter the United States solely to conclude a valid marriage with the petitioner within ninety days after admission . . . ."

Section 214(d)(1) of the Act, 8 U.S.C. § 1184(d)(1), 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 2 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, except that the Secretary of Homeland Security in his discretion may waive the requirement that the parties have previously met in person . . . .

## II. ANALYSIS

The issue on appeal is whether the Petitioner has submitted all of the documentation required to classify the Beneficiary as his fiancée. The Petitioner states on appeal that he had already submitted all of the required documentation and submits copies of travel itineraries, his birth certificate and social security card, a copy of a final divorce decree, and travel receipts for the Petitioner and Beneficiary.

The Petitioner submitted travel itineraries and receipts for travel between England and the United States, presumably to demonstrate that the Petitioner and Beneficiary have met in person. However, while these documents indicate that the Beneficiary travelled to the United States, they are not sufficient to demonstrate that the Petitioner and Beneficiary met during that trip. These documents do not establish that the Petitioner and Beneficiary met in person during the two-year period preceding the filing of the petition.

In addition, the Petitioner must demonstrate a *bona fide* intention to marry. The record lacks a statement from the Petitioner or Beneficiary of their mutual intent to marry within ninety days of the Beneficiary's admission into the United States.

We sent the Petitioner a request for evidence, including statements of *bona fide* intent to marry, additional evidence of having met in person within the two years preceding the filing of the petition and completed biographical questionnaires. The Petitioner did not respond. The Petitioner has not submitted all of the documentation required to establish eligibility for the benefit sought.

The Petitioner has not submitted all the evidence that is required in support of the Form I-129F, Petition for Alien Fiancé(e). The record lacks biographical questionnaires, recent passport photos, and sufficient evidence of the two-year meeting requirement and *bona fide* intention to marry.

## III. CONCLUSION

It is the Petitioner's burden to establish eligibility for the benefit sought. Section 291 of the Act, 8 U.S.C. § 1361. The Petitioner has not met that burden. Accordingly, we dismiss the appeal.

**ORDER:** The appeal is dismissed.

Cite as *Matter of R-A-A-*, ID# 14594 (AAO Aug. 4, 2016)