



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

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

MATTER OF S-O-A-

DATE: AUG. 26, 2016

APPEAL OF CALIFORNIA 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 classification for marriage. The U.S. citizen must establish that the parties have previously met in person within two years before the date of filing the Form I-129F, Petition for Alien Fiancé(e) (fiancé(e) 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 the beneficiary's admission as a K nonimmigrant.

The Director, California Service Center, denied the petition, concluding that the Petitioner did not submit the required statement of intent to marry from the Beneficiary.

The matter is now before us on appeal. On appeal, the Petitioner submits a statement from the Beneficiary of her intent to marry the Petitioner within 90 days of her arrival into the United States. We issued the Petitioner a request for evidence (RFE) so that he could submit evidence, such as photos of the Beneficiary and him together, the birth certificates of the children referenced in his statement, or other evidence to demonstrate that he and the Beneficiary met in person at some point from August 5, 2013 to August 5, 2013.

In response to the RFE the Petitioner submitted birth certificates for two children, and approximately 40 photographs that appear to show the Petitioner, the Beneficiary, and their children. Coupled with travel records that indicate the Petitioner travelled to Nigeria in 2014 and in May 2015, evidence in the record of proceedings supports that the Petitioner and the Beneficiary met in person within the requisite period.

As the Petitioner has met the statutory requirements for classifying the Beneficiary as a K nonimmigrant, the approval of the fiancé(e) petition is warranted.

ORDER: The appeal is sustained.

Cite as *Matter of S-O-A-*, ID# 17367 (AAO Aug. 26, 2016)