



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

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

MATTER OF C-A-A-

DATE: JULY 14, 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 her fiancé. *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 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 90 days of admission.

The Director, California Service Center, denied the petition, concluding that it was incomplete because it was not accompanied by evidence of intent to marry and completed Forms G-325, Biographic Information.

The matter is now before us on appeal. In the appeal, the Petitioner provides statements of intent to marry.

Upon *de novo* review, we will dismiss the appeal since the Petitioner has not submitted all of the required documentation.

#### I. LAW

The Petitioner is seeking to classify the Beneficiary as her fiancé.

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 fiancée or fiancé 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 that a fiancé(e) petition can be approved only if the petitioner establishes 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

*Matter of C-A-A-*

the alien's arrival.<sup>1</sup> It also provides discretionary authority to waive the requirement that the parties have previously met in person.

## II. ANALYSIS

The issue on appeal is whether the Petitioner has provided all of the required documentation in support of her petition.

The Director denied the petition because it was not accompanied by evidence of intent to marry and completed Forms G-325A from the Petitioner and the Beneficiary. The petition now includes evidence of intent to marry, however, it is still incomplete because the required Forms G-325A have not been submitted.

## 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. She has not submitted all of the required documentation. Accordingly, we dismiss the appeal.

**ORDER:** The appeal is dismissed.

Cite as *Matter of C-A-A-*, ID# 16709 (AAO July 14, 2016)

---

<sup>1</sup> The instructions on the petition state that the Petitioner and Beneficiary must each provide a Form G-325A.