



C1

U.S. Department of Justice

Immigration and Naturalization Service

OFFICE OF ADMINISTRATIVE APPEALS
425 Eye Street N.W.
ULLB, 3rd Floor
Washington, D.C. 20536

OFFICE OF ADMINISTRATIVE APPEALS
425 Eye Street N.W.
ULLB, 3rd Floor
Washington, D.C. 20536



File: LIN-97-102-50733

Office: Nebraska Service Center

Date: 24 APR 2002

IN RE: Petitioner:
Beneficiary:



Petition: Petition for Special Immigrant Religious Worker Pursuant to Section 203(b)(4) of the Immigration and Nationality Act (the "Act"), 8 U.S.C. 1153(b)(4), as described at Section 101(a)(27)(C) of the Act, 8 U.S.C. 1101(a)(27)(C)

IN BEHALF OF PETITIONER: Self-represented

PUBLIC COPY

INSTRUCTIONS:

This is the decision in your case. All documents have been returned to the office which originally decided your case. Any further inquiry must be made to that office.

FOR THE ASSOCIATE COMMISSIONER,
EXAMINATIONS

Myra L. Rose
for Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The immigrant visa petition was denied by the Director, Nebraska Service Center. An appeal was dismissed by the Associate Commissioner for Examinations. A subsequent motion to reopen was dismissed by the Associate Commissioner for Examinations. The matter is again before the Associate Commissioner on motion to reopen/reconsider. The motion will be rejected.

The petitioner filed a Form I-360 Petition for Special Immigrant on February 19, 1997, seeking classification as a special immigrant religious worker. The petition was denied on its merits by the center director on July 21, 1997. A timely appeal was dismissed by the Associate Commissioner for Examinations on July 22, 1999. A subsequent motion to reopened was dismissed as untimely filed on August 3, 2000.

The instant motion to reopen/reconsider was filed on October 30, 2000, by an attorney claiming to represent the petitioner. The attorney failed to submit a properly executed Form G-28 authorizing his appearance.

According to 8 C.F.R. 103.5(a)(1)(i), a motion must be filed within thirty days of the decision. The motion in this matter was untimely filed.

Counsel filing the instant motion is not recognized as the duly authorized representative of the petitioner. Therefore, the motion must be rejected. See 8 C.F.R. 103.3(a)(2)(v).

ORDER: The motion is rejected.