



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

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

MATTER OF L-S-M-

DATE: FEB. 10, 2017

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 classification 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 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 a beneficiary's admission as a K nonimmigrant.

The Director, California Service Center, denied the fiancé(e) petition, concluding that the Petitioner did not provide the Beneficiary's statement of his intent to marry her within 90 days of his entry into the United States.

The matter is now before us on appeal. On appeal, the Petitioner submits a statement from the Beneficiary indicating his intent to marry her within 90 days of his arrival in the United States. In addition, in response to our request for evidence, she provides sufficient documentation showing that the parties have previously met in person within 2 years before the date of filing the fiancé(e) petition. Specifically, the Petitioner offers a statement discussing the details and circumstances of their meetings in Argentina, an airline travel itinerary from February 2014, and numerous dated photographs taken with the Beneficiary. The record also includes photocopies of two pages from the Petitioner's passport bearing Argentina entry and departure stamps dated July 22, 2014; March 27, 2014; and July 8, 2015 (showing that she traveled there in 2014 and 2015). As the Petitioner has met the statutory and regulatory 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 L-S-M-*, ID# 105322 (AAO Feb. 10, 2017)