



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

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

MATTER OF A-B-

DATE: JAN. 27, 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 submit required evidence. Specifically, the Director found that the Petitioner did not provide sufficient documentation to show the termination of her previous marriages, and she did not submit a statement or other evidence of the Beneficiary's intent to marry her within 90 days of his admission into the United States.

The matter is now before us on appeal. On appeal, the Petitioner presents divorce documentation for her two prior marriages establishing that she is legally able to conclude a valid marriage with the Beneficiary. In addition, the Petitioner provides a statement by the Beneficiary attesting to his intent to marry her within the required timeframe. 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 A-B-*, ID# 143802 (AAO Jan. 27, 2017)