



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

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

MATTER OF K-R-V-

DATE: MAY 5, 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 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 of the California Service Center denied the fiancé(e) petition, concluding that the Petitioner did not establish that she was legally free to marry at the time of filing the petition because she did not submit a complete copy of her divorce decree from a prior marriage.

On appeal, the Petitioner submits a complete copy of her divorce decree, including the Findings of Fact, Conclusions of Law, Judgment – With Minor Children, and Marital Settlement Agreement, indicating that her prior marriage was terminated on [REDACTED] 2015. The evidence in the record now establishes that the Petitioner was legally free to marry the Beneficiary as of the date the fiancé(e) petition was filed on August 1, 2016. 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 K-R-V-*, ID# 394960 (AAO May 5, 2017)