



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

Non-Precedent Decision of the
Administrative Appeals Office

In Re: 13112759

Date: JUN. 10, 2021

Appeal of California Service Center Decision

Form I-129F, Petition for Alien Fiancé(e)

The Petitioner, a U.S. citizen, seeks the Beneficiary's admission to the United States under the fiancé(e) visa classification.¹ A U.S. citizen may petition to bring a fiancé(e) to the United States in K-1 status for marriage. The petitioner must establish, among other things, that the parties have previously met within two years before the date of filing the petition, have a bona fide intention to marry, and are willing and legally able to conclude a valid marriage in the United States within 90 days of the fiancé(e)'s admission.²

The Director of the California Service Center denied the Form I-129F, Petition for Alien Fiancé(e) (fiancé(e) petition), concluding that the Petitioner did not submit sufficient evidence demonstrating the parties have a bona fide intent to marry within 90 days of the Beneficiary's admission to the United States. On appeal, the Petitioner presents additional evidence to demonstrate eligibility for the fiancé(e) visa.

While we conduct de novo review on appeal,³ we conclude this new evidence is directly relevant to the Director's grounds for denial of the fiancé(e) petition. We will therefore remand the matter for the Director to further consider whether the Petitioner has established that she and the Beneficiary have a bona fide intention to marry, are legally able and actually willing to conclude a valid marriage in the United States within a period of 90 days after the Beneficiary's arrival and has otherwise established eligibility under section 214(d) of the Act.

ORDER: The decision of the Director is withdrawn. The matter is remanded for the entry of a new decision consistent with the foregoing analysis.

¹ See Immigration and Nationality Act (the Act) section 101(a)(15)(K)(i), 8 U.S.C. § 1101(a)(15)(K)(i) (the "K-1" visa classification).

² Section 214(d)(1) of the Act, 8 U.S.C. § 1184(d)(1).

³ See *Matter of Christo's Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015).