



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

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

In Re: 19333251

Date: FEB. 22, 2022

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

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 to establish that they have previously met within two years before the date of filing the petition and that the Petitioner was not exempt from this requirement due to extreme hardship to the Petitioner or a violation of strict and long-established customs of the Beneficiary's foreign culture or social practices.

On appeal, the Petitioner presents additional evidence, which includes a statement from the Petitioner, a letter from a member of the Beneficiary's tribe stating that a meeting between the Petitioner and Beneficiary would violate the tribe's customs, a letter from the Petitioner's psychotherapist detailing the hardship the Petitioner would experience in visiting the Beneficiary in Iraq, and letters of support.

We conduct de novo review on appeal. *See Matter of Christo's Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). We conclude this new evidence is directly relevant to the Petitioner's eligibility claim and will therefore remand the matter for the Director to consider whether the Petitioner has established that she is exempt from the requirement that the parties have previously met within two years before the date of filing the petition.

The Director may request any additional evidence considered pertinent to the new determination and any other issue. As such, we express no opinion regarding the ultimate resolution of this case on remand.

ORDER: The decision of the Director is withdrawn.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