U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF [redacted]

DATE: JULY 6, 2017

MOTION ON ADMINISTRATIVE APPEALS OFFICE DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a church, seeks to employ the Beneficiary as an Administrative Assistant under the classification of a skilled worker. Section 203(b)(3)(A) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 203(b)(3)(A). The Director of the Nebraska Service Center denied the petition and we dismissed the appeal filed by the [redacted] which has subsequently filed six motions to reopen or reconsider. We dismissed the last motion to reopen concluding that the [redacted] had not established it was an affected party and therefore lacked standing to file the motion. A new motion to reopen is now before us and will also be denied.

A motion to reopen must state the new facts to be proved in the reopened proceeding and be supported by affidavits or other documentary evidence. 8 C.F.R. § 103.5(a)(2). New facts are facts that are relevant to the issues raised on motion and that have not been previously submitted in the proceeding, which includes those provided with the original petition. Reasserting previously stated facts or resubmitting previously provided evidence does not constitute new facts. A motion that does not meet applicable requirements shall be dismissed. 8 C.F.R. § 103.5(a)(4).

The instant motion is again filed by the [redacted] which claims eligibility for the immigration benefit as the Petitioner's successor-in-interest. In support of its motion, the [redacted] provides two previously submitted affidavits and the articles of incorporation for [redacted] Our review of the record finds the [redacted] has reiterated the arguments it made on appeal and on prior motions, arguments that were fully addressed in our dismissal of the appeal and denial of the prior motions. The record does not demonstrate the [redacted] is the Petitioner's successor-in-interest and the [redacted] has not provided new facts to overcome this finding. Accordingly, the motion does not meet applicable requirements.

ORDER: The motion to reopen is denied.

Cite as *Matter of* [redacted], ID# [656943] (AAO July 6, 2017)