U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF A-W-M-C-

DATE: SEPT. 26, 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 which has subsequently filed seven motions to reopen or reconsider. We dismissed the last motion to reopen concluding that the was not the Petitioner's successor-in-interest and they had not provided new facts to overcome this finding. 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 provided in the reopened proceeding and be supported by affidavits or other documentary evidence. 8 C.F.R. § 103.5(a)(2). We may grant a motion to reopen that satisfies these requirements and demonstrates eligibility for the requested immigration benefit. A motion that does not meet applicable requirements shall be dismissed. 8 C.F.R. § 103.5(a)(4).

On motion, the Petitioner provides a statement, photographs, an affidavit from the church's president, and other previously submitted evidence. While the photographs and supporting statements had not been previously submitted, they do not offer new facts to be considered. In addition, the Petitioner's statement and affidavits are substantively identical to prior submissions on appeal and on motion to reopen and reconsider. The record reflects that in each of our decisions we thoroughly analyzed the Petitioner's documentation and articulated the reasons why the evidence did not satisfy the applicable requirements. Reasserting previously stated facts or resubmitting previously provided evidence does not constitute new facts. The Petitioner's motion does not meet the requirements as stated in 8 C.F.R. § 103.5(a).

ORDER: The motion to reopen is denied.

Cite as *Matter of A-W-M-C-*, ID# 910543 (AAO Sept. 26, 2017)