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U.S. Citizenship
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FILE: [Redacted] Office: BALTIMORE DISTRICT Date: AUG 17 2006

IN RE: Petitioner: [Redacted]

PETITION: Application for Status as Permanent Resident Pursuant to Section 13 of the Act of September 11, 1957

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application was denied by the Interim District Director for Services, Baltimore, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The applicant is a native and citizen of Chad who is seeking to adjust her status to that of a lawful permanent resident under section 13 of the Immigration and Nationality Act (the Act) of 1957, Pub. L. No. 85-316, 71 Stat. 642, as modified, 95 Stat. 1611, as the spouse of an alien who performed diplomatic or semi-diplomatic duties under section 101(a)(15)(A)(i) of the Act.

The district director denied the application for adjustment of status after determining that the applicant's spouse had failed to demonstrate that he had performed in a diplomatic or semi-diplomatic role while employed by the Embassy of Chad. The director further found that the applicant's spouse had not established compelling reasons for being unable to return to Chad or that his adjustment would serve U.S. interests. The applicant submitted a timely Form I-290B on February 9, 2004, stating the events that led her and her spouse to request adjustment of status under section 13 of the Act.

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal. 8 C.F.R. § 103.3(a)(1)(v). The appeal in the instant case does not specify how the director made an erroneous conclusion of law or statement of fact in denying the petition. As the applicant has presented no additional evidence to overcome the decision of the director, the appeal will be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

Pursuant to section 291 of the Act, 8 U.S.C. 1361, the burden of proof is upon the applicant to establish that he is eligible for adjustment of status. The applicant failed to meet that burden.

ORDER: The appeal is summarily dismissed.