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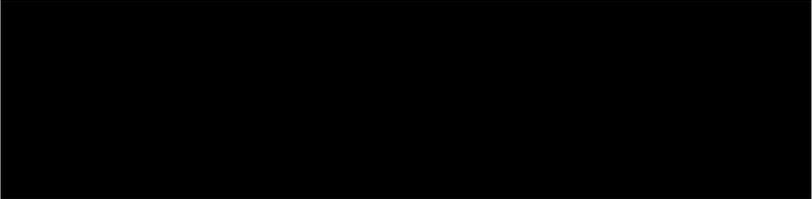
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED] Office: VERMONT SERVICE CENTER Date: DEC 27 2008
EAC 01 147 50241

IN RE: Petitioner: [REDACTED]
Beneficiary [REDACTED]

PETITION: Petition for Special Immigrant Battered Spouse Pursuant to Section 204(a)(1)(B)(iii) of the
Immigration and Nationality Act, 8 U.S.C. § 1154(a)(1)(B)(iii)

ON BEHALF OF PETITIONER:
[REDACTED]

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.

Maui Johnson
Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The preference visa petition was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The petitioner is a native and citizen of Mexico who is seeking classification as a special immigrant pursuant to section 204(a)(1)(B)(iii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1154(a)(1)(B)(iii), as the battered child of a lawful permanent resident of the United States.

The director denied the petition, finding that the petitioner had failed to establish that she is the child of a United States citizen or lawful permanent resident, or that she had been battered by, or had been the subject of extreme cruelty perpetrated by, the citizen or lawful permanent resident parent. On appeal, counsel for the petitioner indicated that he would submit a brief within forty-five days of filing the appeal. More than three years have lapsed since the appeal was filed and nothing more has been submitted to the record.

The record of proceedings indicates that the petitioner was born in Mexico to [REDACTED] and [REDACTED]. The record further indicates that the petitioner's father [REDACTED] filed a Form I-130 petition on the petitioner's behalf on March 13, 1992, which was approved. According to records of the Citizenship and Immigration Services (CIS), the petitioner's father was ordered removed on August 4, 1997, three and one-half years prior to the filing of the instant petition. The petitioner was placed in removal proceedings on February 14, 2001. The petitioner filed a Form I-485 on January 21, 1997 that was denied (undated notice) for abandonment. The petitioner filed a Form I-360 petition on March 21, 2001.

The petitioner failed to address specifically the grounds for denial set forth in the decision of the director.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

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.

Inasmuch as the petitioner has failed to identify specifically an erroneous conclusion of law or a statement of fact in this proceeding, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.