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FILE:

[Redacted]
EAC 05 018 53300

Office: VERMONT SERVICE CENTER

Date: **DEC 16 2005**

IN RE:

Petitioner: [Redacted]

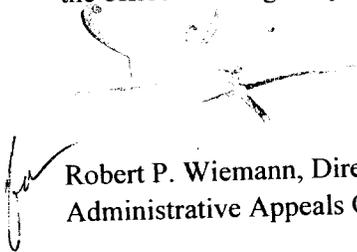
PETITION: Petition for Special Immigrant Battered Spouse Pursuant to Section 204(a)(1)(B)(ii) of the Immigration and Nationality Act, 8 U.S.C. § 1154(a)(1)(B)(ii)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

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

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

The record reflects that the petitioner married lawful permanent resident Benito Cabrera on August 14, 1996 in Bronx, New York. The instant Form I-360 petition was filed by the petitioner on October 22, 2004. On April 6, 2005, the director requested further evidence to demonstrate that the petitioner resided with her spouse, that she entered into the marriage in good faith and that she was battered or subjected to extreme cruelty by her spouse. The petitioner responded to the request for evidence on April 27, 2005. The director denied the petition on May 13, 2005, after reviewing and discussing the evidence submitted by the petitioner, and finding that the petitioner failed to establish that she has been battered or subjected to extreme cruelty by her spouse. The discussion will not be repeated here.

On the Form I-290B, Notice of Appeal, the petitioner states the following as her reason for appeal:

I have completed all the requeriments [sic] of that Department.

I'm receiving Medical Treatment in North Central Bronx Hospital motivated by the [c]ruelty relationship with my husband.

If additional information is required I'm ready to complete the process.

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.

The petitioner's general statement is not sufficient to meet the requirements of the regulation. The petitioner fails to identify any specific error of law or fact on the part of the director or point to specific evidence to demonstrate that she has "completed all the [requirements]." Inasmuch as the petitioner has failed to specifically identify any erroneous conclusion of law or statement of fact as a basis for the appeal, the regulations mandate the summary dismissal of the appeal.

ORDER: The appeal is dismissed.