

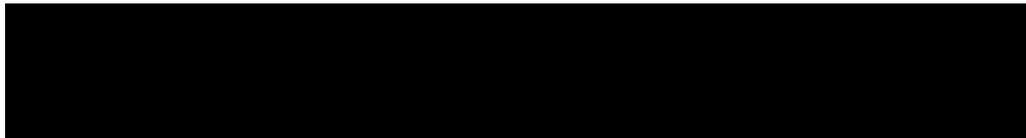
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U.S. Department of Homeland Security
20 Mass Ave., N.W., Rm. A3042
Washington, DC 20529



U.S. Citizenship
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Services

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FILE:



Office: VERMONT SERVICE CENTER

Date: JUN 03 2005

IN RE:

Petitioner:

Beneficiary:



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

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 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)(A)(iii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1154(a)(1)(A)(iii), as the battered spouse of a United States citizen.

The director denied the petition, finding that the petitioner had failed to establish that she entered into the qualifying marriage in good faith.

The petitioner submits a timely appeal and provides the following reason as her reason for the appeal:

I disagree with your decision to deny me the right to immigrate under VAWA. I find your conclusion that I did not establish that I have entered into my marriage with [REDACTED] in good faith [sic]. I truly and firmly believe that your conclusion is not only erroneous but highly unfair as well. It appears that in the declarations and documentation that I have submitted to you, I have not been able to provide a good picture of who I am and where I came from. It is obvious that I have not established that I am a good, honest and highly [principled] woman. I never sought a marriage relationship as a matter of convenience or to gain an immigration benefit. That is why I have decided to submit to you the following statement accompanied by documentary evidence and seek the reversal of your decision.

The petitioner does not point to specific evidence to support her assertion that the director's decision is "erroneous and highly unfair." Further, the petitioner fails to specifically identify how the director's findings are incorrect or based upon an erroneous conclusion of law.

In addition to her statement on the Form I-290B, the petitioner submits a new personal statement, an untranslated document, copies of her Mexican cedula, her visa, pages from her passport, and two letters from her previous employer in Mexico. None of these documents are germane to the issue of whether the petitioner entered into her marriage in good faith.

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 assertion regarding the director's error and the fact that she does not agree with the director's decision does not satisfy the requirements of the regulation. Inasmuch as the petitioner has failed to specifically identify an erroneous conclusion of law or a statement of fact in this proceeding, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.