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FILE:



Office: VERMONT SERVICE CENTER

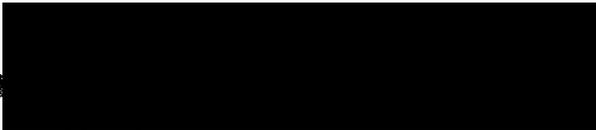
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IN RE:

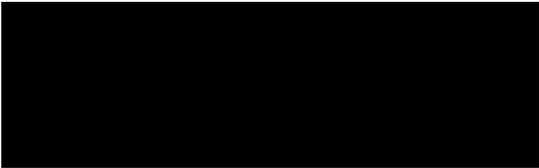
Petitioner:

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:



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.

for
Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The preference visa petition was denied by the Acting 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 Colombia 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 acting director denied the petition, finding that the petitioner had failed to establish that she has been battered or subjected to extreme cruelty by her United States spouse and that she is a person of good moral character.

On appeal, the petitioner, through counsel, stated that the reason for appeal was is follows:

We are hereby appealing the decision of [CIS]. We are requesting 60 additional days to gather additional evidence to establish that [the petitioner] suffered extreme mental cruelty perpetrated by her USC husband.

Counsel also checks the box on the Form I-290B requesting 60 days in which to submit a brief and/or evidence. We note that this extension can only be granted if good cause is shown. In this instance, counsel has failed to demonstrate the good cause necessary to be entitled to such an extension. Regardless, to date, nearly four months after the filing of the petition, the record contains no further submission. Moreover, counsel fails to specifically address all the grounds for denial set forth in the decision of the director. Specifically, counsel makes no mention of the director's finding related to the petitioner's good moral character.

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.