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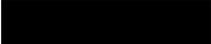


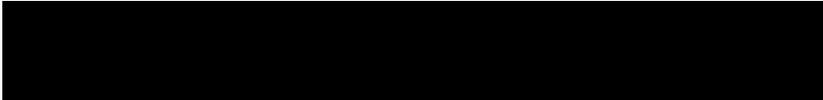
U.S. Citizenship
and Immigration
Services

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FILE:  Office: VERMONT SERVICE CENTER Date: **NOV 28 2005**
EAC 03 261 56689

IN RE: Petitioner: 

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.

Mari Johnson

S Robert P. Wiemann, Director
Administrative Appeals Office

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

The petitioner is a native of the former Soviet Union and citizen of Russia 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 has a qualifying relationship with a United States citizen, that she is eligible for immigrant classification under section 201(b)(2)(A)(i) of the Act based on a qualifying relationship with a U.S. citizen, that she has resided with her spouse, was battered or subjected to extreme cruelty by her United States citizen spouse, and entered into the marriage in good faith. On appeal, counsel for the petitioner states as the reason for the appeal: "My client submitted a meritorious petition and included all the evidence she had. My client submitted sworn statements of witnesses. She has met her burden and your office should grant the petition."

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.