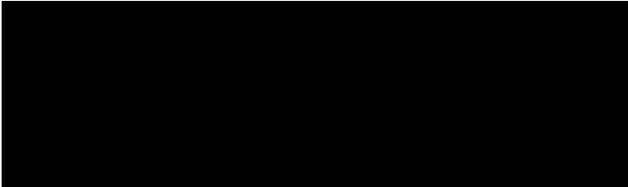




U.S. Citizenship
and Immigration
Services

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

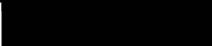
PUBLIC COPY



B9

DEC 19 2006

FILE:



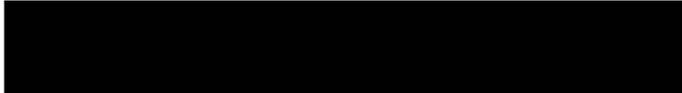
Office: VERMONT SERVICE CENTER

Date:

EAC 06 057 51999

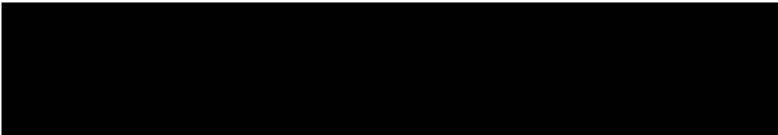
IN RE:

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.

Robert P. Wiemann, Chief
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 regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part, “[a]n 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.”

On the Form I-290B Notice of Appeal, filed by the petitioner on October 2, 2006, counsel for the petitioner states the following as the reason for the appeal:

We are sending the attached notice of appeal on behalf of our client in order to request for you to reconsider your adverse decision. [The petitioner] is not able to produce more documents at this time in support of his application, please reconsider your previous decision.

Counsel’s general request to reconsider the decision of the director is not sufficient to meet the requirements for the filing of a substantive appeal given that he fails to specifically identify any erroneous conclusion of law or statement of fact to be reviewed.

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.