



U.S. Citizenship
and Immigration
Services

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FILE:

[REDACTED]
EAC 05 013 52488

Office: VERMONT SERVICE CENTER

Date: DEC 14 2006

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, 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 June 16, 2006, the petitioner indicated that a separate brief or evidence was being submitted within 30 days. To date, nearly six months later, no further submission has been received. The record, therefore, is considered complete as it now stands.

The petitioner states the following as the reason for the appeal: “I disagree with the decision to deny my I-360 petition. I will send something further within 30 days.” The fact that the petitioner indicates that he disagrees with the director’s determination is not sufficient to meet the substantive requirements for the filing of an appeal. The petitioner fails to specifically identify any erroneous conclusion of law or statement of fact on the part of the director. The petitioner’s general statement is not sufficient to meet the requirement of the regulation.

Inasmuch as the petitioner has failed to specifically identify any erroneous conclusion of law of statement or fact as a basis for the appeal, the regulations mandate the summary dismissal of the appeal.

ORDER: The appeal is dismissed.