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FILE:



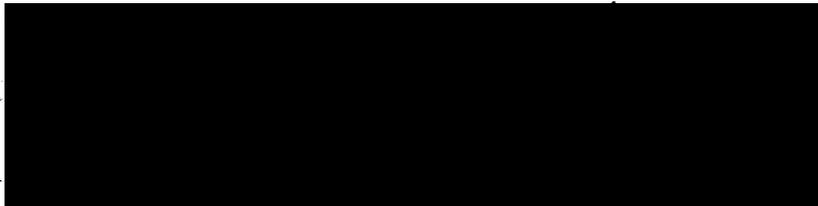
Office: VERMONT SERVICE CENTER

Date: JAN 18 2006

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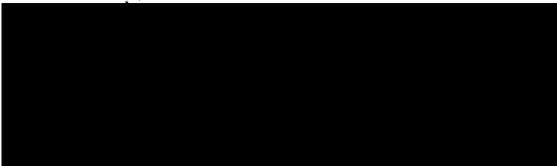
IN RE:

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, Director
Administrative Appeals Office

DISCUSSION: The preference visa petition was denied by the Director (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.”

Rather than specifically identifying any error on the part of the director on the Form I-290B, Notice of Appeal, filed on January 28, 2005, counsel for the petitioner provides a brief summary of the evidence submitted in support of the petition and indicates that he "disagree[s]" with the findings of the director. Counsel then states that he wishes to file a memorandum of law in support of the appeal within 30 days. To date, nearly one year after the appeal was filed, no further documentation has been submitted. The record, therefore, is considered complete as it now stands.

Counsel's general statements regarding the self-petitioner's eligibility are not sufficient to establish a substantive appeal. 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.