



U.S. Citizenship
and Immigration
Services

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FEB 26 2007

FILE: [REDACTED]
EAC 05 248 51011

Office: VERMONT SERVICE CENTER

Date:

IN RE: Petitioner: [REDACTED]

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:

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

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 director denied the petition on July 26, 2006, finding that the petitioner failed to establish that she resided with her spouse and that she entered into her marriage in good faith.

On August 15, 2006, the petitioner filed a timely appeal. On the Form I-290B, Notice of Appeal, as the reason for the appeal, the petitioner summarizes the director's basis for denial but does not allege that any of the director's findings of fact or law were erroneous. While the record contains a second Form I-290B submitted by an unidentified individual from the Homeward Bound Program, the record contains no evidence that the petitioner is represented by an individual from this organization or any other organization or firm. Regardless, neither Form I-290B identifies any error on the part of the director as the reason for the appeal.

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."

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.