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U.S. Department of Homeland Security
20 Mass Ave., N.W., Rm. 3000
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U.S. Citizenship
and Immigration
Services

PUBLIC COPY

B9

FILE:

[REDACTED]
EAC 05 178 52714

Office: VERMONT SERVICE CENTER

Date: JAN 11 2007

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:

[REDACTED]

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 5, 2006, finding that the petitioner failed to establish that she was battered by or subjected to extreme cruelty by her spouse, that she resided with her spouse and that she entered into her marriage in good faith.

On the Form I-290B Notice of Appeal, filed by the petitioner on July 31, 2006, the petitioner stated the following as the reason for the appeal:

Denial of my adjustment of status I-360 questioning the credibility of intention of my marriage, affidavits of various people who knows [sic] my situation, [REDACTED] non-profit analysis of my reported case and Pastor of the church and residence issue.

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.”

In this instance, the petitioner fails to allege any erroneous conclusion of law or statement of fact on the part of the director to be reviewed on appeal. The petitioner’s general statements are not sufficient to meet the requirements for the substantive filing of 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.