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U.S. Citizenship
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[Redacted]

FILE:

EAC 06 183 52139

Office: VERMONT SERVICE CENTER

Date: FEB 14 2008

IN RE:

Petitioner:

[Redacted]

PETITION:

Petition for Immigrant Abused 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.

Naura Deadrick
Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The immigrant 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 petitioner seeks immigrant classification pursuant to section 204(a)(1)(A)(iii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1154(a)(1)(A)(iii), as an alien subjected to battery or extreme cruelty by his United States citizen spouse. The director denied the petition because the petitioner did not establish that he resided with his wife and entered into their marriage in good faith.

On the Form I-290B, Notice of Appeal, counsel indicated that she would send a brief or additional evidence to the AAO within 30 days. Counsel dated the appeal June 27, 2007. To date, the AAO has received nothing further from counsel or the petitioner.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) prescribes that an appeal shall be summarily dismissed if the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal. On the Form I-290B, counsel claims that the director erred in denying the petition and asserts, "The couple did live together. They did have a bonafide marriage." Counsel cites no specific legal or factual error in the director's decision and has submitted no brief or additional evidence. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.