

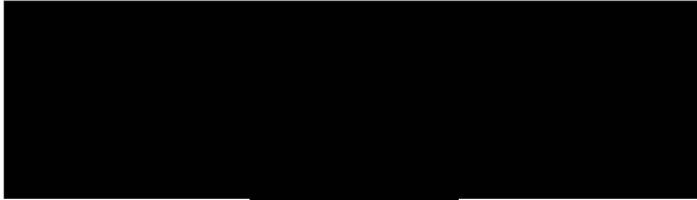
identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

B9



FILE:

EAC 06 044 52283

Office: VERMONT SERVICE CENTER

Date **MAY 12 2008**

IN RE:

Petitioner:



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:



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.

for *Maura Deadrck*
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 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.”

The director denied the petition on October 23, 2006 finding that the petitioner failed to establish that she was battered or subjected to extreme cruelty by her United States citizen spouse during her marriage. On the Form I-290B, Notice of Appeal, signed by counsel on November 22, 2006, counsel stated that Citizenship and Immigration Services (CIS) erred in denying the petitioner’s VAWA petition. Counsel generally claimed that the petitioner met the eligibility requirements and that the petitioner submitted sufficient documentation to support her eligibility. Counsel, however, did not allege any specific error of law or fact on the part of the director, did not elaborate on her argument or provide any additional evidence to support her assertions. Instead, counsel indicated that she needed an additional ninety days in order to submit a brief and/or evidence to the AAO in support of the appeal. To date, however, no further evidence or brief has been submitted in support of the appeal, and no other correspondence has been received from counsel.

The general statements made by counsel on the Form I-290B are not sufficient to meet the requirements for the filing of a substantive appeal. The evidence previously submitted by the petitioner was discussed in the director’s decision. The petitioner does not allege that these findings were legally or factually erroneous. Accordingly, as the petitioner has failed to specifically identify any erroneous conclusion of law or statement of fact, the regulation mandates the summary dismissal of the appeal.

ORDER: The appeal is dismissed.