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U.S. Citizenship
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APR 10 2006

FILE: [REDACTED] Office: VERMONT SERVICE CENTER Date:

IN RE: Applicant: [REDACTED]

APPLICATION: Application for T Nonimmigrant Status under section 101(a)(15)(T)(i) and 214(n) of the Immigration and Nationality Act, 8 U.S.C. §§ 1101(a)(15)(T)(i) and 1214(n).

ON BEHALF OF APPLICANT:



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, Director
Administrative Appeals Office

DISCUSSION: The application for T-2 nonimmigrant status was denied by the Center Director, Vermont Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native and citizen of China who last arrived in the United States on or about March 30, 2002 without valid entry documents. An Asylum officer determined that the applicant has a credible fear of returning to China and thus the applicant was placed into proceedings before an Immigration Judge. The applicant married [REDACTED] on February 4, 2003. On September 7, 2004, [REDACTED] filed a Form I-914 application for T nonimmigrant status. He further filed a Form I-914, Supplement A, requesting T-2 status for the applicant. [REDACTED]'s application for T status was denied by the center director on August 9, 2005, thus the applicant was effectively denied T-2 status. On September 1, 2005, [REDACTED] filed a Form I-290B appeal of the center director's denial of his Form I-914 application. On September 19, 2005, the applicant filed a separate appeal of the denial of [REDACTED]'s application for T-2 status on her behalf.

On appeal, [REDACTED] failed to establish eligibility for T-1 status, and the AAO dismissed his appeal accordingly. As the applicant's eligibility for T-2 status is dependent on [REDACTED]'s eligibility for T-1 status, the applicant has failed to show eligibility for T-2 status and the present appeal will also be dismissed.

ORDER: The appeal is dismissed.