



U.S. Department of Justice

Immigration and Naturalization Service

Do

OFFICE OF ADMINISTRATIVE APPEALS
425 Eye Street N.W.
ULLB, 3rd Floor
Washington, D.C. 20536

[Redacted]

File:

[Redacted]

Office: Vermont Service Center

Date:

FEB 27 2001

IN RE:

Petitioner:

[Redacted]

Beneficiary:

Petition:

Petition for Alien Fiance(e) Pursuant to Section 101(a)(15)(K) of the Immigration and Nationality Act, 8 U.S.C. 1101(a)(15)(K)

IN BEHALF OF PETITIONER:

[Redacted]

PUBLIC COPY

INSTRUCTIONS:

This is the decision in your case. All documents have been returned to the office which originally decided your case. Any further inquiry must be made to that office.

FOR THE ASSOCIATE COMMISSIONER,
EXAMINATIONS

Robert P. Weimann, Acting Director
Administrative Appeals Office

identification data deleted to
prevent clearly unwarranted
invasion of personal privacy

DISCUSSION: The nonimmigrant visa petition was denied by the Director, Vermont Service Center, and is now before the Associate Commissioner for Examinations on appeal. The appeal will be summarily dismissed.

The petitioner is a citizen of the United States. The beneficiary is a native and citizen of the Philippines. The director determined that the petitioner had not established that he and the beneficiary personally met within two years prior to the petition's filing date.

8 C.F.R. 103.3(a)(1)(v) states, in pertinent part:

An 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.

On the Notice of Appeal to the Administrative Appeals Unit (Form I-290B), counsel states that she wants to submit additional documents establishing the petitioner's extreme hardship and intent to marry the beneficiary within 90 days of her arrival. Counsel also indicated that she was submitting a separate brief or evidence within 30 days. Careful review of the record reveals no subsequent submission; all other documentation in the file predates the issuance of the notice of decision.

Inasmuch as the petitioner has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed.