



FILE

U.S. Department of Justice

Immigration and Naturalization Service

**identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

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

[REDACTED]

File: BAL 01 115 50011 Office: BALTIMORE, MARYLAND

Date: **SEP 23 2002**

IN RE: Petitioner:
Beneficiary:

[REDACTED]

Petition: Petition to Classify Orphan as an Immediate Relative Pursuant to Section 101(b)(1)(F) of the Immigration and Nationality Act, 8 U.S.C. 1101(b)(1)(F)

IN BEHALF OF APPLICANT:

SELF-REPRESENTED

PUBLIC COPY

INSTRUCTIONS:

This is the decision 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.

If you believe the law was inappropriately applied or the analysis used in reaching the decision was inconsistent with the information provided or with precedent decisions, you may file a motion to reconsider. Such a motion must state the reasons for reconsideration and be supported by any pertinent precedent decisions. Any motion to reconsider must be filed within 30 days of the decision that the motion seeks to reconsider, as required under 8 C.F.R. 103.5(a)(1)(i).

If you have new or additional information that you wish to have considered, you may file a motion to reopen. Such a motion must state the new facts to be proved at the reopened proceeding and be supported by affidavits or other documentary evidence. Any motion to reopen must be filed within 30 days of the decision that the motion seeks to reopen, except that failure to file before this period expires may be excused in the discretion of the Service where it is demonstrated that the delay was reasonable and beyond the control of the applicant or petitioner. *Id.*

Any motion must be filed with the office that originally decided your case along with a fee of \$110 as required under 8 C.F.R. 103.7.

FOR THE ASSOCIATE COMMISSIONER,
EXAMINATIONS

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The director of the Baltimore, Maryland district office denied the immigrant visa petition and the matter is now before the Associate Commissioner for Examinations on appeal. The appeal will be summarily dismissed.

The petitioner filed the Petition to Classify Orphan as an Immediate Relative (Form I-600) on March 20, 2001. The petitioner is a 44-year-old unmarried citizen of the United States. The beneficiary is 17 years old at the present time and was born in Yaonde, Cameroon, on March 22, 1985. The petitioner adopted the beneficiary in Cameroon and the child is in her legal custody.

An attorney stated on the Form I-290B, Notice of Appeal, that he was representing the petitioner. However, the record of proceeding does not contain a Form G-28, Notice of Entry of Appearance. The Service cannot recognize the attorney without a signed Notice of Entry of Appearance. 8 C.F.R. 292.4.

The director denied the petition on April 22, 2002 because the petitioner failed to submit a home study report within one year of filing the I-600 petition.

On appeal, the petitioner requests an extension of time to submit a home study report.

8 C.F.R. 103.3(a)(1)(v) states that 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 appeal, the petitioner fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal. As the petitioner has provided no additional evidence on appeal to overcome the decision of the director, the appeal will be summarily dismissed in accordance with 8 C.F.R. 103.3(a)(1)(v).

In visa petition proceedings, the burden of proof remains entirely with the petitioner. Section 291 of the Act, 8 U.S.C. 1361. Here, that burden has not been met. In accordance with 8 C.F.R. 103.3(a)(1)(v), the appeal will be summarily dismissed.

ORDER: The appeal is summarily dismissed.