

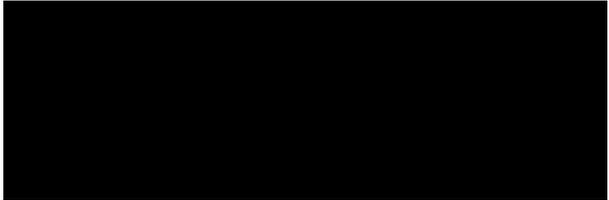
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FILE: [REDACTED] Office: BEIJING, CHINA

Date: NOV 29 2005

IN RE: Applicant: [REDACTED]
Beneficiary: [REDACTED]

APPLICATION: Application for Advance Processing of Orphan Petition Pursuant to 8 C.F.R. 204.3(c)

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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.

Robert P. Wiemann

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The Officer in Charge, Beijing, China, denied the Application for Advance Processing of an Orphan Petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The officer in charge denied the Form I-600A, Application for Advance Processing of an Orphan Petition based on the applicant's failure to comply with requests for financial information and a new home study.

On appeal, the applicant does not dispute the officer in charge's findings, and he states he agrees with the determination that new financial documentation and a new home study are required in his case. The applicant then requests additional time to file the requested information. The applicant submits no new evidence and makes no other assertions on appeal.

The AAO notes that where an applicant has been put on notice of a deficiency in the evidence and has been given an opportunity to respond to the deficiency, the AAO will not accept evidence offered for the first time on appeal. *See Matter of Soriano*, 19 I&N Dec. 764 (BIA 1988). *See also Matter of Obaigbena*, 19 I&N Dec. 533 (BIA 1988).

Moreover, Volume 8 of the Code of Federal Regulations (8 C.F.R.) section 103.3(a)(v) states in pertinent part:

Summary dismissal. 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.

The AAO finds that the applicant has failed to identify specifically any erroneous conclusion of law or statement of fact in his appeal. The appeal will therefore be summarily dismissed.

ORDER: The appeal is summarily dismissed.