



U.S. Citizenship  
and Immigration  
Services

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FILE: [Redacted]  
EAC 06 049 52506

Office: VERMONT SERVICE CENTER

Date: DEC 21 2006

IN RE: Petitioner: [Redacted]

PETITION: Petition for Special Immigrant Battered 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.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The preference 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.”

On the Form I-290B Notice of Appeal, filed by the petitioner on October 2, 2006, counsel for the petitioner states the following as the reason for the appeal:

Please accept the present appeal for humanitarian reasons, our client has not being able [sic] to send more evidence in support of his claim. [The petitioner] couldn't produce more documents since his wife took everything and destroyed every document they had in common.

Counsel's general statement contains no allegation or argument regarding an erroneous conclusion of law or statement of fact to be reviewed. There are no provisions which allow a general review of the director's decision based upon “humanitarian reasons.” Inasmuch as the petitioner has failed to specifically identify any erroneous conclusion of law or statement of fact as a basis for the appeal, the regulations mandate the summary dismissal of the appeal.

**ORDER:** The appeal is dismissed.