



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
EAC 06 128 50796

Office: VERMONT SERVICE CENTER

Date: APR 29 2008

IN RE: Petitioner:

[REDACTED]

PETITION: Petition for Special Immigrant Abused 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:

[REDACTED]

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 immigrant 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, signed by counsel on February 7, 2007, counsel states the following as the reason for the appeal:

Please accept our appeal and reconsider your adverse decision for humanitarian reasons. We believe that our client is eligible for legalization at this time. [He] is a victim of domestic violence. He has been abused by his USC abusive wife. Please accept this appeal and approve it.

Counsel’s general statements contain 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.