

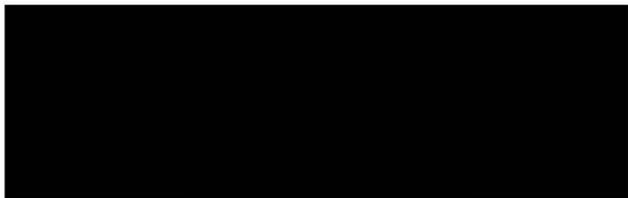
identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

**PUBLIC COPY**

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Office of Administrative Appeals, MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services



By

FILE: [REDACTED]  
EAC 07 023 51369

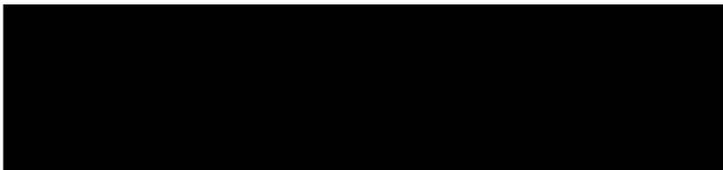
Office: VERMONT SERVICE CENTER

Date: **APR 02 2009**

IN RE: Petitioner: [REDACTED]

PETITION: Petition for 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:



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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider, as required by 8 C.F.R. 103.5(a)(1)(i).

John F. Grissom,  
Acting Chief, Administrative Appeals Office

**DISCUSSION:** The Director, Vermont Service Center, denied the immigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The petitioner seeks immigrant classification under section 204(a)(1)(A)(iii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1154(a)(1)(A)(iii), as an alien battered or subjected to extreme cruelty by a United States citizen.

The director denied the petition, determining that the petitioner failed to establish that she resided with the claimed abuser, that she had been subjected to battery or extreme cruelty perpetrated by her spouse, and that she had entered into the marriage in good faith.

On appeal, counsel submits a brief and provides copies of previously submitted documentation.

The AAO concurs with the director's determination that the petitioner has failed to establish that she resided with D-P-<sup>1</sup>, has failed to establish that she has been subjected to battery or extreme cruelty perpetrated by D-P-, and has failed to establish that she entered into the marriage in good faith.

Section 204(a)(1)(A)(iii) of the Act provides that an alien who is the spouse of a United States citizen may self-petition for immigrant classification if the alien demonstrates that he or she entered into the marriage with the United States citizen spouse in good faith and that during the marriage, the alien or a child of the alien was battered or subjected to extreme cruelty perpetrated by the alien's spouse. In addition, the alien must show that he or she is eligible to be classified as an immediate relative under section 201(b)(2)(A)(i) of the Act, resided with the abusive spouse, and is a person of good moral character. Section 204(a)(1)(A)(iii)(II) of the Act, 8 U.S.C. § 1154(a)(1)(A)(iii)(II).

Section 204(a)(1)(J) of the Act, 8 U.S.C. § 1154(a)(1)(J), states, in pertinent part:

In acting on petitions filed under clause (iii) or (iv) of subparagraph (A) . . . or in making determinations under subparagraphs (C) and (D), the [Secretary of Homeland Security] shall consider any credible evidence relevant to the petition. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the [Secretary of Homeland Security].

The eligibility requirements are further explained in the regulation at 8 C.F.R. § 204.2(c)(1), which states, in pertinent part:

(v) *Residence.* . . . The self-petitioner is not required to be living with the abuser when the petition is filed, but he or she must have resided with the abuser . . . in the past.

---

<sup>1</sup> Name withheld to protect the individual's identity.

(vi) *Battery or extreme cruelty.* For the purpose of this chapter, the phrase “was battered by or was the subject of extreme cruelty” includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution shall be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence. The qualifying abuse must have been committed by the citizen . . . spouse, must have been perpetrated against the self-petitioner . . . and must have taken place during the self-petitioner’s marriage to the abuser.

\* \* \*

(ix) *Good faith marriage.* A spousal self-petition cannot be approved if the self-petitioner entered into the marriage to the abuser for the primary purpose of circumventing the immigration laws. A self-petition will not be denied, however, solely because the spouses are not living together and the marriage is no longer viable.

The evidentiary guidelines for a self-petition under section 204(a)(1)(A)(iii) of the Act are further explained in the regulation at 8 C.F.R. § 204.2(c)(2), which states, in pertinent part:

*Evidence for a spousal self-petition –*

(i) *General.* Self-petitioners are encouraged to submit primary evidence whenever possible. The Service will consider, however, any credible evidence relevant to the petition. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Service.

\* \* \*

(iii) *Residence.* One or more documents may be submitted showing that the self-petitioner and the abuser have resided together . . . . Employment records, utility receipts, school records, hospital or medical records, birth certificates of children . . . , deeds, mortgages, rental records, insurance policies, affidavits or any other type of relevant credible evidence of residency may be submitted.

(iv) *Abuse.* Evidence of abuse may include, but is not limited to, reports and affidavits from police, judges and other court officials, medical personnel, school officials, clergy, social workers, and other social service agency personnel. Persons who have obtained an order of protection against the abuser or have taken other legal

steps to end the abuse are strongly encouraged to submit copies of the relating legal documents. Evidence that the abuse victim sought safe-haven in a battered women's shelter or similar refuge may be relevant, as may a combination of documents such as a photograph of the visibly injured self-petitioner supported by affidavits. Other forms of credible relevant evidence will also be considered. Documentary proof of non-qualifying abuses may only be used to establish a pattern of abuse and violence and to support a claim that qualifying abuse also occurred.

\* \* \*

(vii) *Good faith marriage.* Evidence of good faith at the time of marriage may include, but is not limited to, proof that one spouse has been listed as the other's spouse on insurance policies, property leases, income tax forms, or bank accounts; and testimony or other evidence regarding courtship, wedding ceremony, shared residence and experiences. Other types of readily available evidence might include the birth certificates of children born to the abuser and the spouse; police, medical, or court documents providing information about the relationship; and affidavits of persons with personal knowledge of the relationship. All credible relevant evidence will be considered.

The record in this matter provides the following pertinent facts and procedural history. The petitioner is a native and citizen of Columbia. She married D-P-, a United States citizen on March 5, 1997 in Harris County, Texas. D-P- filed a Form I-130, Petition for Alien Relative, on April 11, 1997, that was denied on November 9, 2000. The petitioner's Form G-325A, Biographical Information, lists her address on Beechnut from March 1993 to December 1996 and on [REDACTED] from December 1996 to the date of the Form G-325A (March 28, 1997). The petitioner filed a Form I-360, Petition for Amerasian, Widow(er) or Special Immigrant, on June 9, 2002. The Form I-360 petition was denied on July 21, 2003, for the petitioner's failure to establish that she resided with D-P- and that she had entered into the marriage in good faith.

The petitioner filed the Form I-360 that is the subject of this appeal on October 30, 2006. The director issued a Request for Further Evidence (RFE) on November 8, 2006. The petitioner, through counsel, submitted a response dated March 2, 2007. On July 2, 2007 the director issued a Notice of Intent to Deny (NOID) the petition notifying the petitioner that the record contained inconsistencies and insufficient information to establish that she had resided with D-P-, that she had been subjected to battery or extreme cruelty perpetrated by D-P-, and that she had entered into the marriage in good faith. Counsel for the petitioner submitted a rebuttal dated July 27, 2007. Upon review of the totality of the evidence in the record, the director determined that the evidence submitted included unexplained discrepancies and insufficient credible evidence to establish that the petitioner had resided with D-P-, had been subjected to battery or extreme cruelty perpetrated by D-P-, and had entered into the marriage in good faith.

On appeal, counsel for the petitioner asserts that the director's credibility determination is based on purported inconsistencies and contradictions that are not based on the facts of the case, the evidence, the statutory authority, or the prevalent case law. Counsel contends that the additional evidence requested by the director raises the level of evidentiary requirements to new almost insurmountable heights which is contrary to the intent of Congress in passing the VAWA legislation. Counsel further claims that even if the director is correct regarding the purported inconsistencies, the inconsistencies do not rise to the level of discrediting the abused victim and are insufficient to deny this self-petition.

The AAO disagrees. The documentary evidence submitted in this matter contains material inconsistencies that have not been resolved by the petitioner. The AAO will not repeat the numerous inconsistencies detailed by the director in the RFE, NOID, and decision and incorporates the director's discussion of the inconsistencies herein by reference. The AAO finds that the petitioner's counsel's interpretation of the inconsistencies in the record and her presentation of possible/plausible explanations of the inconsistencies insufficient to resolve the discrepancies. The record does not include independent evidence resolving the inconsistencies. Upon review of the evidence in the record including counsel's assertions on appeal, the AAO concurs with the finding of the director that the petitioner failed to establish that she resided with D-P-, that she was subjected to battery or extreme cruelty by D-P-, and that she entered into the marriage in good faith. The AAO reminds counsel that the burden is on the petitioner in this matter and in this matter, the probative, credible information in the record is insufficient to sustain that burden.

### *Residence*

On the Form I-360, the petitioner states that she resided with D-P- from March 1993 to April 2000. In support of her claim the petitioner submits:

- A copy of a partial lease dated February 26, 1999 for a term beginning December 1, 2000 (nine months subsequent to the signing date of the lease) to November 30, 2001. The lease includes D-P-'s name as "occupant." The lease does not include the signature page. The petitioner, in an April 22, 2002 affidavit states that the apartment manager did not have copies of the 1997 and 1998 leases and that D-P- was listed only as an occupant because he had bad credit.
- Bank Statements issued to the petitioner or D-P- at the [REDACTED] address dated May 1998 to March 2000.
- A marriage license to be returned to the couple at the [REDACTED] address.
- A March 22, 1998 receipt for furniture issued to the petitioner at the Boone address.
- A May 15, 1999 receipt for furniture issued to D-P- listing the street name in the address as [REDACTED] which is crossed out and replaced with [REDACTED]
- An undated envelope addressed to [REDACTED] followed by the petitioner's first name.
- An October 1, 2001 letter on the letterhead of Reliant Energy indicating that

electric service was placed in the name of the petitioner and D-P- at the [REDACTED] street address on December 9, 1996.

- D-P-'s Internal Revenue Service (IRS) Form W-2, for 1996 issued to a [REDACTED] address.
- D-P-'s uncertified IRS Form 1040 for 1996 showing the [REDACTED] address and that he is head of household and listing a daughter as a dependent.
- D-P-'s IRS computer copy IRS Form 1040 for 1998 showing an address on Unity and that he is head of household and listing a child born in 1995 and a child born in 1996 as dependents.
- D-P-'s IRS computer copy IRS Form 1040 for 1999 showing an address on [REDACTED] and that he is head of household and listing a child born in 1997 and a child born in 1985 as dependents.
- D-P-'s IRS computer copy IRS Form 1040 for 2000 showing an address on United and that he is head of household and listing a child born in 1995 and a child born in 1997.
- The petitioner's IRS computer copy IRS Form 1040 for 1997 showing that the petitioner and D-P- filed the return jointly as married, listing the [REDACTED] address and listing the petitioner's child as a dependent.
- The petitioner's IRS computer copy IRS Form 1040 for 1998 showing the petitioner as head of household at the [REDACTED] address and listing her child as a dependent.
- The petitioner's IRS computer copy IRS Form 1040 for 1999 showing the petitioner as single with her maiden name at the [REDACTED] address and listing her child as a dependent.
- The petitioner's IRS computer copy IRS Form for 2000 showing the petitioner as head of household at the [REDACTED] address and listing her child as a dependent.
- D-P-'s credit report showing that D-P- used a [REDACTED] address in February and May 2000.

The record also includes statements from [REDACTED], the petitioner's son, [REDACTED], and [REDACTED]. The initial statements of [REDACTED] which contained inconsistencies with the petitioner's statements were explained by counsel as possibly due to translation error. As the record did not include the original statement and did not indicate that the document had been translated the director properly gave the statements less probative value. The AAO reiterates that that United States Citizenship and Immigration Services (USCIS) requires certified translations of documents submitted for consideration in immigration proceedings. *See* 8 C.F.R. § 103.2(b)(3). Accordingly, the AAO finds all the statements of [REDACTED], except for her undated statement submitted in Spanish with a certified translation, not probative and will not accord them any weight in this proceeding. The AAO finds that the translated statement of [REDACTED], the statement of the petitioner's son, the November 3, 2001 affidavit of [REDACTED], and the November 6, 2001 affidavit of [REDACTED] all provide general statements indicating that they knew the petitioner and that they knew the petitioner married D-P-. The statements and affidavits are

significantly lacking in relevant detail regarding the petitioner and D-P- and where they lived. The general nature of the information that characterizes these documents lacks sufficient indicia to establish the reliability of their assertions. The AAO does not find the statements and documents submitted on behalf of the petitioner sufficient to establish that the couple resided together as husband and wife.

The photocopy of the first page of a lease, bank statements without supporting information showing that D-P- had access to and used the account, photocopies of two furniture receipts, and a letter indicating that electric service was placed in the petitioner and D-P-'s name for the [REDACTED] address in 1996 are insufficient in this matter to establish that D-P- resided with the petitioner. These documents do not have independent value in establishing that D-P- resided with the petitioner. The lease is not signed by D-P- and is a photocopy that includes D-P- only has an occupant. The information on the partial lease includes only the petitioner's initials and not that of the leasing agent/landlord. The record contains no information from the leasing agent/landlord substantiating that the petitioner and D-P- resided at the [REDACTED] address. Likewise, the bank statements do not show that D-P- had access to and used the account. The furniture receipts are for one time events and because of the inconsistencies in the record regarding D-P-'s addresses or claimed addresses are insufficient to verify that D-P- resided with the petitioner at the [REDACTED] address. Similarly, placing electric service in the name of the petitioner and D-P- does not establish that D-P- actually resided at the location or that his residence coincided with the marriage to the petitioner. The record does not include any evidence that D-P- paid the bill or otherwise accepted the responsibility for the service. The few documents submitted do not have supporting indicia demonstrating that D-P- actually resided at the address and thus do not independently substantiate that the couple resided together.

The AAO has also reviewed the petitioner's amended IRS Forms 1040 wherein she changed her withholding status from single and head of household to married filing separately for the 1999 and 2000 years. However like a delayed birth certificate, the amended tax returns filed two years after her initial claims and only when the material inconsistency was raised by the director in the previous Form I-360 proceeding raise serious questions regarding the truth of the facts asserted. *Cf. Matter of Bueno*, 21 I&N Dec. 1029, 1033 (BIA 1997); *Matter of Ma*, 20 I&N Dec. 394 (BIA 1991)(discussing the evidentiary weight accorded to delayed birth certificates in immigrant visa proceedings). Moreover, the AAO finds that, although certified tax returns may be considered indicia of a couple residing together, in this instance they are not. The AAO notes the various addresses that D-P- has used to file official forms and the lack of independent original documentation showing that he **actually resided at the [REDACTED] address.** It is incumbent upon the petitioner to resolve any inconsistencies in the record by independent objective evidence. Any attempt to explain or reconcile such inconsistencies will not suffice unless the petitioner submits competent objective evidence pointing to where the truth lies. *Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988).

The AAO has also reviewed the petitioner's personal statements, her attempt to explain the inconsistencies in the record, and her inability to obtain complete lease documents showing that both she and D-P- resided at the [REDACTED] address. The AAO finds, however, that the lack of independent

documentation in the record to establish joint residence when the petitioner has resided at the purported marital residence since December 1996 coupled with the fact that the record includes independent information showing that D-P- resided elsewhere during the time frame of the claimed marriage, diminishes the value of her statements. While the lack of documentary evidence is not necessarily disqualifying, the petitioner's general testimonial evidence and inability to adequately explain D-P-'s various addresses during the claimed marriage and support those explanations with documentary evidence also fail to support a finding that the couple established a residence together as required under the regulations. The record, when reviewed as a whole, does not establish that the petitioner resided with D-P- as required under 8 C.F.R. § 204.2(c)(1)(v).

#### *Battery or Extreme Cruelty*

The petitioner has also failed to establish that she was subjected to battery or extreme cruelty perpetrated by D-P-. The petitioner has submitted:

- Her personal statements dated June 2, 2001, December 12, 2001, April 22, 2002, October 3, 2006, March 2, 2007, and July 27, 2007.
- A police report indicating the date received as November 16, 2000 and the date of the report as November 17, 2000. The report states the details of the offense as "complainant is being threatened by her husband."
- A November 28, 2000 intake report indicating the victimization date as November 27, 2000 and showing checked boxes for physical abuse, sexual abuse, stalking, verbal/emotional/psychological abuse, a circled box noting the event occurred at the client's home, and circled boxes indicating that fists, hands, body were the weapons used, that bruises, cuts were the physical impact, that no report had been filed, and no medical attention had been sought.  
A May 21, 2001 letter signed by [REDACTED], licensed social worker, indicating she had seen the petitioner on March 14, 2001 and that the petitioner presented symptoms of depression and post traumatic stress disorder and appeared frightened and undecided about leaving the relationship due to the constant threats and violent behavior displayed by D-P-. [REDACTED] recommended that the petitioner seek legal counsel.
- A June 25, 2001 letter on the letterhead of a women's shelter indicating that the petitioner came to the center on November 28, 2000 and that the petitioner had disclosed a list of emotional abuse, including among other things, threatening to harm her, destroying personal property, kicking her out of the house, lying, and breaking his promises and destroying her trust; that in regard to physical abuse, the petitioner stated that her husband slapped her, kicked her, punched her, pulled her hair, held her against her will, shoved her, and threw her around and threw things at her; in terms of sexual abuse, the petitioner stated that her husband forced and emotionally manipulated her to have sex with him; and in regards to economic abuse the petitioner stated that her husband controlled the money, would not share any

information with her as to how much money they had in savings or in his pockets, expected her to give him her paycheck and/or pay the household expenses.

- A temporary restraining order signed April 12, 2002, issued against D-P- and an order of dismissal of the matter for want of prosecution signed October 28, 2002.

Upon review of the information in the record, including the petitioner's statements, the AAO does not find that the petitioner has established that she has been subjected to battery or extreme cruelty. The AAO finds that the statements submitted on the petitioner's behalf by [REDACTED] the petitioner's son, [REDACTED], and [REDACTED] are not probative for the same reasons noted above. To reiterate, the statements do not provide the necessary detail of any witnessed abuse sufficient to establish that the petitioner was subjected to battery or extreme cruelty.

The AAO has reviewed the petitioner's statement regarding the purported abuse and does not find any independent information supporting her claims of abuse. The petitioner provides little timeline of specific claimed abusive events and states generally that D-P- would stay out late at night and they he would not come home. She indicates that around Christmas 1998 she learned that he had been seeing another woman and had a child with this woman and in June of 1999 he left for a few months. She also reports that at some point in time he came back and in September 1999 he made advances toward her roommate, [REDACTED] who was staying with her for a while. The petitioner indicates that in October 1999 D-P- called her to get him out of jail and she took her savings, around \$5,000, to bail him out and that he became more violent after that. The petitioner indicates that she called the police in March 2000 after D-P- hit her but that there is no report of this action. The petitioner reports that around October 2000 D-P- snuck back into the apartment and took their furniture and belongings and called her at work and told her that he was living with someone else because she would not help him with money.

The AAO finds the petitioner's claim that D-P- controlled the money and the joint account as set out in her statement and as told to a counselor at the woman's shelter, incongruous with her ability to save \$5,000, in addition, to paying all the household bills. The AAO also finds that the record does not include any substantive evidence that D-P- wrote "hot checks" or any kind of checks on their joint account. It is the lack of D-P-'s involvement with the joint account that diminishes the value of the petitioner's statements regarding residency and likewise lessens the value of the petitioner's claim that D-P- controlled her economically. The AAO further notes that the petitioner indicated to the counselor at the woman's shelter that D-P- would kick her out of the house. The petitioner does not make this claim in her statements to USCIS. Moreover, the petitioner does not provide the necessary detail to substantiate that D-P- "kicked her out of their apartment" at any point in time. The November 28, 2000 intake counselor at the woman's shelter does not refer the petitioner to a safe house. There is insufficient evidence to demonstrate that the petitioner was subjected to economic abuse or was kicked out of her house.

Similarly, the AAO finds that the petitioner's claim that D-P- threatened her is not substantiated in the record. Although the record includes a police report taken on November 16, 2000, the report provides a single sentence indicating that the petitioner's husband threatened her. There is no indication that the

petitioner provided further detail, recited the claimed past occurrences of abuse, showed the police officer any bruises or physical injury, or followed through with immediate action against the abuser. There are no witnesses to the threats although the petitioner indicated that the threat included hitting her in the body in the parking lot of her apartment. The AAO notes that the petitioner went into work before taking time off to make the report to the police. The AAO observes, as well, that the intake form dated November 28, 2000, although circling the box that indicates bruises/cuts are the "physical impact" does not indicate that the counselor saw bruises or cuts consistent with abuse. Likewise, the record does not include any independent evidence that the petitioner was battered by D-P-. The record does not include medical records, police reports, photographs, or any credible documentation from witnesses that the petitioner suffered injuries as a result of a battery committed by D-P-. Likewise, the petitioner has not provided sufficient probative information regarding the claimed sexual abuse.

The AAO has reviewed the petitioner's statements regarding the name calling, D-P-'s infidelity, and his eventual abandonment. As described, even if true, D-P-'s actions while maybe unkind and inconsiderate, do not rise to the level of the acts described in the regulation at 8 C.F.R. § 204.2(c)(1)(vi), which include forceful detention, psychological or sexual abuse or exploitation, rape, molestation, incest, or forced prostitution. In this matter the petitioner has provided general statements that in and of themselves do not establish credibility and are sufficiently vague as to not lend themselves to evaluations regarding credibility. When evaluating the record as a whole, the AAO finds that the record lacks definitive information regarding specific instances of abuse that should be categorized as battery or extreme cruelty. The AAO declines to accept generic information with little chronological timeline, no medical evaluations, and inherent inconsistencies to establish eligibility for this benefit. The AAO is aware of the difficulties of obtaining information to substantiate eligibility for this benefit; however, the petitioner must provide some credible evidence that she has been subjected to battery or extreme cruelty perpetrated by her spouse in order to meet her burden of proof. In this matter, she has failed to do so.

The AAO has also reviewed the May 21, 2001 letter signed by [REDACTED], a licensed social worker. [REDACTED] who indicated that the petitioner appeared frightened and undecided about leaving the relationship due to constant threats and violent behavior of D-P-, does not seem to be aware that the petitioner informed USCIS that D-P- left her residence in October 2000, that she changed the locks on the apartment, and had only one further encounter with D-P- in November 2000. Moreover, [REDACTED] although indicating that the petitioner presented with symptoms of depression and post traumatic stress disorder does not specifically identify the underlying trauma or provide any information indicating that the claimed abuse was a causative or contributing factor to the petitioner's condition. She has not provided chronological, clinical, or substantive details of the abuser's alleged abuse and its effects on the petitioner. [REDACTED] does not provide substantive, probative information indicating that D-P-'s behavior included actual threats, controlling actions or other abusive behavior that was part of a cycle of psychological or sexual violence. Further, [REDACTED] does not recommend any treatment for the petitioner, other than to seek legal guidance.

The claims made by the petitioner and the general statements submitted on her behalf fail to establish

that the petitioner was the victim of any act or threatened act of physical violence or extreme cruelty, that D-P-'s non-physical behavior was accompanied by any coercive actions or threats of harm, or that his actions were aimed at insuring dominance or control over the petitioner. Accordingly, the AAO finds that the petitioner has not presented sufficient, probative evidence establishing that she was subjected to battery or extreme cruelty perpetrated by D-P-.

*Good Faith Entry into Marriage*

The AAO has again reviewed the documents submitted in support of the petitioner's statement that she resided with the claimed abuser to determine if these documents demonstrate the petitioner's good faith in entering the marriage. The documents submitted do not. The information in the documentation is deficient in establishing the petitioner's intent upon entering into the marriage. The AAO has reviewed the petitioner's general statements regarding meeting D-P-, entering into a relationship with him, D-P- moving into the petitioner's apartment, and their eventual marriage. The petitioner does not provide the personal details of a claimed relationship that spanned at least six years prior to the claimed break up of the marriage. The AAO finds that the petitioner's general statements are significantly lacking in relevant detail and thus are not subject to a thorough evaluation of the petitioner's intent. The AAO notes the inconsistencies pointed out by the director in the petitioner's statements and in the information submitted by individuals on her behalf. The record does not include sufficient credible and consistent detail regarding the petitioner's initial relationship with D-P- and their subsequent interactions to ascertain that the marriage was entered into in good faith. The record is deficient in this regard. The AAO observes that adding individuals to utility accounts, and leases is easily accomplished and although this information may assist in substantiating that an individual's intent in entering into a marriage is *bona fide* and reflective of starting a life together, it may also be manufactured in an attempt to mislead and misrepresent residence for fraudulent immigration purposes. The record is void of any activities and events and the circumstances surrounding the activities and events that would establish that the petitioner and D-P- actually shared a life together. The record does not include sufficient personal information to establish that the petitioner entered into the relationship in good faith. Accordingly, the record does not establish the petitioner's good faith and her subsequent eligibility for this benefit, as required by section 204(a)(1)(A)(iii)(I)(aa) of the Act.

The petition will be denied for the above stated reasons, with each considered as an independent and alternative basis for denial. In visa petition proceedings, the burden of proving eligibility for the benefit sought remains entirely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. Here, that burden has not been met. Accordingly, the appeal will be dismissed.

**ORDER:** The appeal is dismissed.