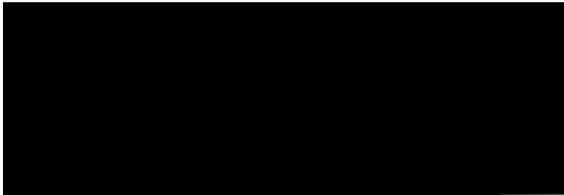


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prevent clearly unwarranted
invasion of personal privacy



U.S. Citizenship
and Immigration
Services



FILE: [REDACTED]
EAC 06 158 50416

Office: VERMONT SERVICE CENTER

Date: FEB 24 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)

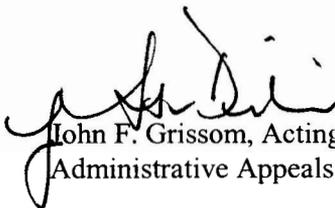
ON BEHALF OF PETITIONER:



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 or reopen, 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 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 because the petitioner did not establish that she entered into marriage with her U.S. citizen spouse in good faith, that he battered or subjected her to extreme cruelty during their marriage and that she was a person of good moral character.

On the Form I-290B, Notice of Appeal, filed on July 3, 2007, counsel requested 120 days to submit a brief and/or evidence to the AAO. To date, over a year later, the AAO has received nothing further from counsel or the petitioner. On the Form I-290B, counsel stated that the director “should have exercise [sic] discretion in light of [the petitioner’s] unique and adverse and unfortunate circumstance of her case.” Counsel does not address the grounds for denial of the petition.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) prescribes that an appeal shall be summarily dismissed if the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal. Counsel has not identified any error of law or fact in the director’s decision and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.