

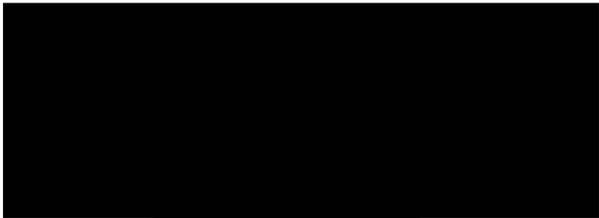
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**U.S. Citizenship
and Immigration
Services**

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invasion of personal privacy

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FILE: [REDACTED]
EAC 06 225 50490

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)

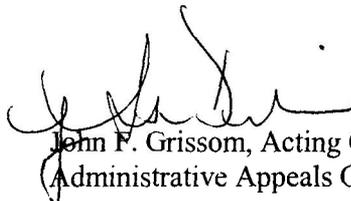
ON BEHALF OF PETITIONER:



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 having been battered or subjected to extreme cruelty by her U.S. citizen spouse. The director denied the petition because the petitioner did not establish that she had resided with the U.S. citizen spouse, had been battered or been subjected to extreme cruelty by her U.S. citizen spouse or had entered into the qualifying relationship in good faith.

On the Form I-290B, Notice of Appeal, filed on September 15, 2007, counsel stated, "Please accept our appeal for humanitarian reasons. We believe that our client is eligible for legalization [sic]. Your consideration is appreciated." In support of the appeal, counsel also submitted a cover letter asking that the appeal be accepted "since we are positive that our client is eligible for the sought benefit and because we believe that she claims that her USC abusive husband took everything with her [sic] and that is the reason she does not have more documents to prove that they lived together in a good faith marriage." No additional evidence was submitted; the record contains no evidence to support counsel's explanation for the failure to provide documents.

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 here has not specifically addressed the stated reasons for denial and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed.