

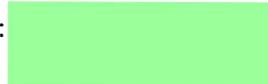
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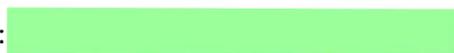


U.S. Citizenship
and Immigration
Services



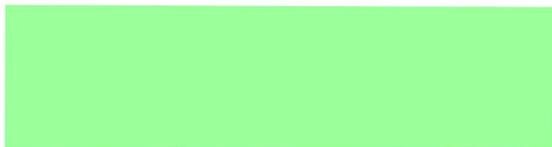
Date: **DEC 10 2014** Office: VERMONT SERVICE CENTER

FILE: 

IN RE: Self-Petitioner: 

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:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements.** See also 8 C.F.R. § 103.5. **Do not file a motion directly with the AAO.**

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Vermont Service Center director denied the immigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily 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 for failure to establish that the petitioner resided with her husband, that she entered into the relationship in good faith, and that she was subjected to battery or extreme cruelty by her husband. Specifically, the director explained that the petitioner did not provide sufficient evidence to meet the eligibility requirements, that her husband's signature on their lease was not consistent with other documents and that the petitioner's testimony regarding the incident of battery was inconsistent with the police report, the hospital report, and a Family Violence Assessment.

On appeal, counsel submits a letter stating that the discrepancy in the ex-husband's signature is speculative, that the petitioner has no explanation for the inconsistent statements given to the police and medical staff, and that the petitioner does not have any additional evidence to support that she lived with her ex-husband or married him in good faith in light of her ex-husband's abuse.

An 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. 8 C.F.R. § 103.3(a)(1)(v).

In this case, counsel fails to identify any specific, erroneous conclusion of law or statement of fact in the director's decision. Counsel provides no legal or factual basis for the appeal, and provides no substantive arguments to show that the petitioner's Form I-360 self-petition should be granted. Counsel also fails to fully address all of the grounds of denial as he did not provide any response to the director's concerns about the evidence submitted in support of the good-faith marriage requirement, nor did he submit any additional evidence. Consequently, the appeal must be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

The burden of proof in these proceedings rests solely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner has not sustained that burden and the appeal will be summarily dismissed.

ORDER: The appeal is summarily dismissed.