

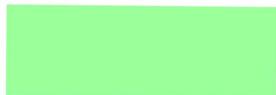


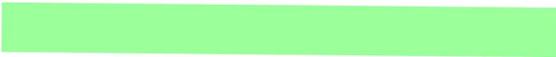
U.S. Citizenship
and Immigration
Services

(b)(6)



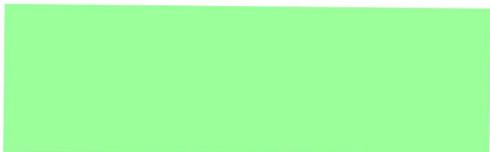
Date: **DEC 12 2014** Office: VERMONT SERVICE CENTER

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:

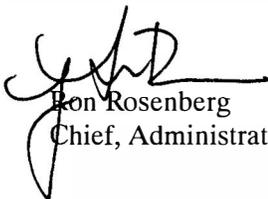


INSTRUCTIONS:

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,



Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Acting Director of the Vermont Service Center (the 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 was battered or subjected to extreme cruelty by his former spouse. Accordingly, the director also found that the petitioner was unable to demonstrate a connection between the termination of his marriage and battery or extreme cruelty as required by section 204(a)(1)(A)(iii)(II)(aa)(CC)(ccc) of the Act, and thus found that the petitioner failed to demonstrate the requisite qualifying relationship to establish eligibility for immigrant classification under section 204(a)(1)(A)(iii) of the Act.

Part 4 of the Form I-290B, Notice of Appeal, requires submission of a statement regarding the basis for the appeal; however, no such statement was submitted with the Form I-290B. In Part 3, Section 1, counsel checked option "b" indicating that a brief and/or additional evidence would be submitted to the AAO within 30 calendar days of filing the appeal notice. The appeal notice was filed on February 18, 2014. As of the date of this decision, we have received no further submissions. In sum, the appeal contains no indication as to why the petitioner believes the director's decision was erroneous.

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). Counsel has not identified any specific, erroneous conclusion of law or statement of fact in the director's decision. Consequently, the appeal must be summarily dismissed.

In visa petition proceedings, it is the petitioner's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013). Here, that burden has not been met.

ORDER: The appeal is summarily dismissed.