



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

(b)(6)

Date:

DEC 16 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)

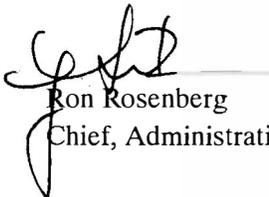
ON BEHALF OF PETITIONER:

SELF-REPRESENTED

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.

Thank you,



Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Vermont Service Center acting director (acting director) issued a Request for Evidence (RFE) and the matter is now before the Administrative Appeals Office (AAO). The acting director's decision shall be withdrawn and the matter remanded for entry of a new decision.

The petitioner seeks immigrant classification pursuant to 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 his U.S. citizen spouse. The petitioner filed a Form I-360 self-petition on February 9, 2013. On February 26, 2013, and September 16, 2013, the acting director issued Requests for Evidence (RFE). On January 27, 2014, the acting director denied the self-petition as abandoned for failure to respond to the RFE. The petitioner filed a timely motion on February 24, 2014, which was granted on May 15, 2014. The acting director issued a third RFE on April 2, 2014, and the petitioner responded with additional evidence. The matter is now before us.

A full review of the record indicates that the acting director has not considered or reviewed the additional evidence the petitioner submitted. Therefore, the matter will be remanded to the acting director to consider the petitioner's RFE response and issue a new decision, if necessary.

ORDER: The January 27, 2014 decision of the Vermont Service Center is withdrawn. The petition is remanded to that service center for further action and issuance of a new decision, if necessary.