



U.S. Citizenship
and Immigration
Services

(b)(6)



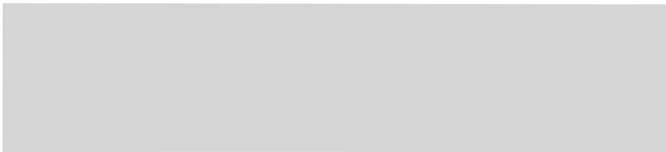
DATE: **JUN 01 2015**

FILE #: [REDACTED]
PETITION RECEIPT #: [REDACTED]

IN RE: Self-Petitioner: [REDACTED]

PETITION: Petition for Immigrant Abused Spouse Pursuant to Section 204(a)(1)(B)(ii) of the Immigration and Nationality Act, 8 U.S.C. § 1154(a)(1)(B)(ii)

ON BEHALF OF PETITIONER:



Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case.

If you believe we incorrectly decided your case, you may file a motion requesting us to reconsider our decision and/or reopen the proceeding. The requirements for motions are located at 8 C.F.R. § 103.5. Motions must be filed on a Notice of Appeal or Motion (Form I-290B) **within 33 days of the date of this decision**. The Form I-290B web page (www.uscis.gov/i-290b) contains the latest information on fee, filing location, and other requirements. **Please do not mail any motions directly to the AAO.**

Thank you,


Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, Vermont Service Center (the director), revoked approval of the petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner seeks immigrant classification pursuant to section 204(a)(1)(B)(ii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1154(a)(1)(B)(ii), as an alien battered or subjected to extreme cruelty by her lawful permanent resident spouse.

The petitioner filed the instant Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, on July 1, 2003.¹ The director approved the petition on May 19, 2004. The director then issued a Notice of Intent to Revoke (NOIR) on June 18, 2014, based on a finding that the petitioner had not established a qualifying relationship with her abusive lawful permanent resident spouse. The petitioner responded to the NOIR with a statement from her attorney. The director found the evidence to be insufficient, and on September 17, 2014, revoked approval of the petition.

In Part 3 of her Form I-290B, Notice of Appeal or Motion, filed on October 6, 2014, the petitioner checked the box which states, "I am filing an appeal to the AAO. My brief and/or additional evidence will be submitted to the AAO within 30 calendar days of filing the appeal." The Form I-290B is accompanied by an addendum, which states:

Applicant respectfully appeals the decision of the Vermont Service Center/United States Citizenship and Immigration Service ("USCIS") in regards to the revocation of her deferred action status² pursuant to the Violence Against Women Act ("VAWA"). The decision was issued on September 17, 2014. A separate brief will be issued within 30 days of the receipt of the instant appeal.

However, as of the date of this decision, we have not received a brief or any additional evidence from the petitioner.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

Summary dismissal. 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.

¹ Counsel for the petitioner provided an outdated version of the Form G-28, Notice of Appearance as Attorney or Representative, indicating her representation of the petitioner. Counsel has not responded to multiple requests from us to submit a new Form G-28. As a matter of discretion, we acknowledge counsel's representation in this matter but in future cases may reject filings with this deficiency for lack of standing.

² The director's denial indicated that "if [the petitioner] or any derivative beneficiaries were granted Deferred Action Status based on [her] approved petition, such Deferred Action Status . . . is now terminated."

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NON-PRECEDENT DECISION

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By filing no brief or additional evidence on appeal, the petitioner has failed to identify any specific, erroneous conclusion of law or statement of fact in the director's decision revoking the approval of her petition. Consequently, we must summarily dismiss the appeal.

ORDER: The appeal is summarily dismissed. The petition remains revoked.