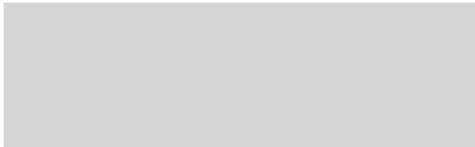




U.S. Citizenship
and Immigration
Services

(b)(6)



JUN 09 2015

DATE:

FILE #:

PETITION RECEIPT #:

IN RE:

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:

NO REPRESENTATIVE OF RECORD

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), denied 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 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 his United States citizen spouse. The director denied the petition because the petitioner did not establish that he was subjected to battery or extreme cruelty by his wife and that he is a person of good moral character.

On the Notice of Appeal (Form I-290B), the petitioner indicated that a brief and/or additional evidence would be submitted within 30 days of filing the appeal. The appeal notice was filed on December 8, 2014. The petitioner has not provided any statement explaining the basis for his appeal, as required at Part 4 of the Form I-290B, and as of the date of this decision, we have not received any new evidence or a brief addressing specifically any error in the director's decision.

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). As the petitioner has not identified any specific, erroneous conclusion of law or statement of fact in the director's decision, the appeal must be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

In these proceedings, the petitioner bears the burden of proof to establish his eligibility by a preponderance of the evidence. Section 291 of the Act, 8 U.S.C. § 1361; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013); *Matter of Chawathe*, 25 I&N Dec. 369, 375 (AAO 2010). Here, that burden has not been met.

ORDER: The appeal is summarily dismissed.