



U.S. Citizenship  
and Immigration  
Services

(b)(6)



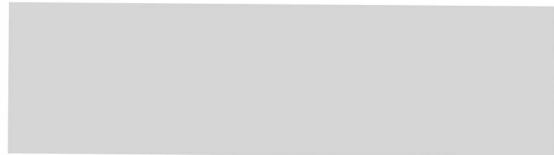
DATE: **MAY 14 2015**

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

IN RE: Petitioner: [REDACTED]

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

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](http://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 Acting 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)(iv) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1154(a)(1)(A)(iv), as an alien battered or subjected to extreme cruelty by a United States citizen parent. The director denied the petition because the petitioner did not establish that she has a qualifying relationship as the child of a U.S. citizen and is eligible for immigrant classification under section 201(b)(2)(A)(i) based on that relationship.

Pursuant to 8 C.F.R. § 103.3(a)(1)(v), an appeal shall be summarily dismissed if the party concerned fails to specifically identify any erroneous conclusion of law or statement of fact for the appeal. Here, the petitioner checked box 1B in part 3 of the Notice of Appeal or Motion (Form I-290B), which states that the petitioner is filing an appeal and that a “brief and/or additional evidence will be submitted to the AAO within 30 calendar days.” The petitioner did not submit a separate letter or statement setting forth any legal or factual error in the director’s decision. The appeal notice was filed on September 22, 2014. As of the date of this decision, the AAO has not received any new evidence or a brief to specifically address the director’s decision. As the petitioner here has failed to identify any legal or factual error in the director’s decision in support of her appeal, as required by regulation, the appeal must be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

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.