



U.S. Citizenship  
and Immigration  
Services

Non-Precedent Decision of the  
Administrative Appeals Office

MATTER OF S-C-

DATE: NOV. 25, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

PETITION: FORM I-360, PETITION FOR AMERASIAN, WIDOW(ER), OR SPECIAL IMMIGRANT

The Petitioner seeks immigrant classification as an abused spouse of a U.S. citizen. *See* Immigration and Nationality Act (the Act) § 204(a)(1)(A)(iii), 8 U.S.C. § 1154(a)(1)(A)(iii). The Director, Vermont Service Center, denied the petition. The matter is now before us on appeal. The appeal will be summarily dismissed.

The Director denied the Form I-360, Petition for Amerasian, Widow(er) or Special Immigrant, because the Petitioner did not establish that: he resided with his spouse; he was subjected to battery or extreme cruelty by his spouse; he was a person of good moral character; and he married his spouse in good faith. In conjunction with the filing of the Form I-290B, Notice of Appeal or Motion, the Petitioner submits a brief statement, noting that he “strongly disagree[s] with the decision,” and that his marriage was “real and true.” The Petitioner reasserts that his spouse was abusive to him and he states that he “will provide further details regarding these facts within thirty days.” The Petitioner signed his statement on May 27, 2015.

Pursuant to 8 C.F.R. § 103.3(a)(2)(vii) and (viii), as well as the instructions to the Form I-290B, an affected party may request additional time to file a brief, which is to be submitted directly to us. The record does not indicate that we have received a brief or any other evidence since the appeal was filed. The regulation at 8 C.F.R. § 103.3(a)(1) states, in pertinent part:

(v) *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.

The statement that the Petitioner attaches to the Form I-290B does not identify any erroneous conclusion of law or statement of fact in the Director’s decision concerning the subject of this appeal. Although the Director denied the petition on four grounds (joint residence, abuse, good moral character and good faith entry into the marriage), the Petitioner on appeal addresses in a generalized manner only his claim of having been subjected to battery or extreme cruelty. He reiterates that his wife became pregnant with another man’s child and that he suffered psychological abuse resulting from his wife’s physical abuse, but does not provide any arguments demonstrating an

*Matter of S-C-*

error in the Director's determination that the Petitioner did not demonstrate that his wife subjected him to acts constituting battery or extreme cruelty as described in 8 C.F.R. § 204.2(c)(1)(vi).

More importantly, the Petitioner does not acknowledge or specifically address the other three bases for the Director's decision to deny the petition. In the denial letter the Director noted the lack of probative evidence to establish that the Petitioner is a person of good moral character and married his spouse in good faith. The Director also found that the Petitioner submitted an altered and fraudulent document to establish joint residence with his wife. As the Petitioner does not submit an appeal that identifies specifically any erroneous conclusion of law or statement of fact relating to the four grounds for denying the Form I-360, we are summarily dismissing his appeal.

**ORDER:** The appeal is summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

Cite as *Matter of S-C-*, ID# 15562 (AAO Nov. 25, 2015)