



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

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF S-G-C-

DATE: JAN. 20, 2016

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 United States citizen or lawful permanent resident. *See* Immigration and Nationality Act (the Act) § 204(a)(1)(A)(iii), (B)(ii), 8 U.S.C. § 1154(a)(1)(A)(iii), (B)(ii). 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 she has a qualifying relationship with a United States citizen or lawful permanent resident, and is eligible for immigrant classification based upon that relationship.

On appeal, the Petitioner explains that she filed a Form I-485, Application to Register Permanent Residence or Adjust Status, because she has held U nonimmigrant status for three years, and she erroneously filed a Form I-360 with her Form I-485.

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 explains that she erroneously filed a Form I-360, and 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 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 pursuant to 8 C.F.R. § 103.3(a)(1)(v).

Cite as *Matter of S-G-C-*, ID# 15670 (AAO Jan. 20, 2016)