



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

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

MATTER OF B-R-U-

DATE: JUNE 28, 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 U.S. citizen. *See* Immigration and Nationality Act (the Act) section 204(a)(1)(A)(iii), 8 U.S.C. § 1154(a)(1)(A)(iii). Under the Violence Against Women Act (VAWA), an abused spouse may self-petition as an immediate relative rather than remain with or rely upon an abuser to secure immigration benefits.

The Petitioner is a citizen of Uzbekistan who last entered the United States with an F-1 nonimmigrant visa. The Petitioner wed B-W-¹ a U.S. citizen and later filed the instant Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant (VAWA petition). The Director, Vermont Service Center, denied the petition, and concluded that the Petitioner had not established that she entered into the marriage in good faith, that she resided with her spouse, and that she was a person of good moral character.

The matter is now before us on appeal.

I. ANALYSIS

At Part 3 of the Notice of Appeal or Motion (Form I-290B), the Petitioner indicated that a brief and/or additional evidence would be submitted within 30 days. The appeal notice was filed on November 30, 2015. As of the date of this decision, we have not received a brief or any additional evidence. In addition, although Part 4 of the appeal notice requires a petitioner to provide a basis for the appeal on a separate sheet of paper, the Petitioner did not submit this required evidence; she attached only a Request for a Fee Waiver (Form I-912).

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 either through the filing of a brief or in a separate

¹ Name withheld to protect the individual's identity.

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statement attached to the appeal notice, the appeal must be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

II. CONCLUSION

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, the Petitioner has not met that burden.

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

Cite as *Matter of B-R-U-*, ID# 17087 (AAO June 28, 2016)