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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

Date: JUN 10 2013 Office: VERMONT SERVICE CENTER

FILE: [REDACTED]

IN RE: Self-Petitioner: [REDACTED]

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

ON BEHALF OF PETITIONER:

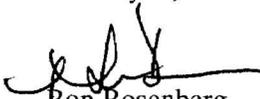
SELF-REPRESENTED

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the AAO inappropriately applied the law in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or motion, with a fee of \$630, or a request for a fee waiver. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,


Ron Rosenberg
Acting Chief, Administrative Appeals Office

DISCUSSION: The Vermont Service Center director (the director) denied the immigrant visa petition and 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)(vii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1154(a)(1)(A)(vii), as an alien battered or subjected to extreme cruelty by a United States citizen daughter or son.

The director denied the petition for failure to establish the requisite battery or extreme cruelty and joint residence. Specifically, the director noted that the petitioner had not provided any evidence that her son battered her or subjected her to extreme cruelty, or any evidence that her son ever resided with her.

On appeal, the petitioner submits another affidavit, a psychological evaluation and a letter from the [REDACTED] that indicates that the petitioner's son lived with his maternal grandparents. No brief of written explanation of the basis for the appeal was provided. In her affidavit, the petitioner does not allege that her son ever battered her nor subjected her to extreme cruelty, and she notes that her son lived with his maternal grandparents in Jamaica. The new evidence submitted does not provide any probative and relevant information sufficient to establish that the petitioner was subjected to battery or extreme cruelty by her son or that they resided together.

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).

In this case, the petitioner fails to identify any specific, erroneous conclusion of law or statement of fact in the director's decision. The new evidence provides no legal or factual basis for the appeal. Consequently, the appeal must be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

The burden of proof in these proceedings rests solely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner has not sustained that burden and the appeal will be summarily dismissed.

ORDER: The appeal is summarily dismissed.