



U.S. Citizenship
and Immigration
Services

(b)(6)

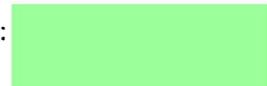


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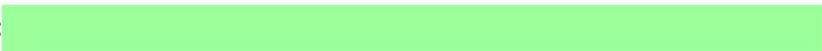
Office: SAINT LOUIS, MISSOURI

FILE:



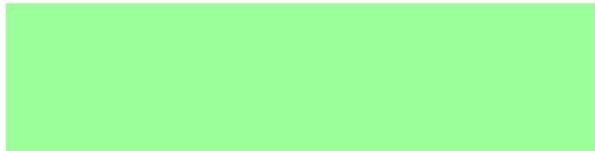
IN RE:

Self-Petitioner:



PETITION: Petition for Special Immigrant Juvenile Pursuant to Section 203(b)(4) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(4), as described at Section 101(a)(27)(J) of the Act, 8 U.S.C. § 1101(a)(27)(J)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Field Office Director, Saint Louis, Missouri (the “director”), denied the special immigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a citizen of Honduras who seeks classification as a special immigrant juvenile (SIJ) as defined at section 101(a)(27)(J) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(27)(J), and pursuant to section 203(b)(4) of the Act, 8 U.S.C. § 1153(b)(4). The director denied the petitioner’s request for SIJ classification because he found that the petitioner sought the juvenile court order primarily for immigration purposes. The director further denied the petition because the petitioner was not a minor when the juvenile court issued its order and because the order did not contain the requisite finding of nonviability of parental reunification due to abuse, neglect or abandonment. On appeal, counsel submits a brief statement on the Notice of Appeal of Motion (Form I-290B) and a copy of the Probate Division, Saint Louis, Missouri Circuit Court Letters of Guardianship of Minor dated October 21, 2011.

On the appeal notice, counsel briefly asserted that the director’s decision was incorrect and indicated that a brief and/or additional evidence would be submitted within 30 days of filing the appeal notice. The appeal notice was filed on May 27, 2014. As of the date of this decision, counsel has not submitted new evidence or a brief to specifically address any errors in the director’s decision. The Letters of Guardianship submitted with the appeal notice also do not establish that the director’s decision was based on an incorrect application of the relevant law, regulations or agency policy.

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, 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.