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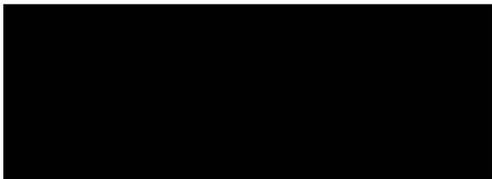
U.S. Department of Homeland Security  
20 Massachusetts Ave. N.W., Rm. 3000  
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U.S. Citizenship  
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FILE: EAC-06-091-50533 Office: VERMONT SERVICE CENTER Date: JUL 05 2006

IN RE: Applicant:

APPLICATION: Application for T-2 Nonimmigrant Status under sections 101(a)(15)(T)(i) and 214(n) of the Immigration and Nationality Act, 8 U.S.C. §§ 1101(a)(15)(T)(i) and 1214(n).

ON BEHALF OF APPLICANT:

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application for T-2 nonimmigrant status was denied by the Center Director, Vermont Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

On March 31, 2005, the applicant's spouse filed a Form I-914A, Application for Immediate Family Member of T-1 Recipient, on behalf of the applicant. The applicant's spouse had a pending Form I-914, Application for T Nonimmigrant Status, at the time he filed the Form I-914A application. However, the applicant's spouse's Form I-914 application was denied by the Vermont Service Center, and his subsequent appeal to the AAO was dismissed.

Eligibility for T-2 derivative status is dependent upon being the spouse of an individual in T-1 nonimmigrant status. 8 C.F.R. § 214.11(o)(1)(i). As the applicant's spouse was denied T-1 status, the applicant is not the spouse of an individual in T-1 nonimmigrant status. Therefore, the applicant has failed to establish that she is eligible for T-2 derivative status, and the appeal must be dismissed.

In proceedings regarding an application for T nonimmigrant status under section 101(a)(15)(T)(i) of the Act, the burden of proving eligibility remains entirely with the applicant. *See* Section 291 of the Act, 8 U.S.C. § 1361. Here, the applicant has not met that burden. Accordingly, the appeal will be dismissed.

**ORDER:** The appeal is dismissed.