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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090

U.S. Citizenship and Immigration Services

[redacted]

D14

FILE: [redacted] Office: VERMONT SERVICE CENTER Date: OCT 22 2010

IN RE: Petitioner: [redacted]

PETITION: Petition for U Nonimmigrant Classification as a Victim of a Qualifying Crime Pursuant to Section 101(a)(15)(U) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(U)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED[1]

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 law was inappropriately applied by us 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. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion. The fee for a Form I-290B is currently $585, but will increase to $630 on November 23, 2010. Any appeal or motion filed on or after November 23, 2010 must be filed with the $630 fee. 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,

Perry Rhew
Chief, Administrative Appeals Office

[1] Haitian American Immigration Services, the organization named on the petitioner's Notice of Appeal, is not listed on the Board of Immigration Appeals' roster of organizations which have been accredited to practice before U.S. Citizenship and Immigration Services pursuant to 8 C.F.R. § 292.2.

DISCUSSION: The Director, Vermont Service Center, denied the U nonimmigrant visa petition and the Administrative Appeals Office (AAO) dismissed a subsequent appeal. The matter is again before the AAO on a motion to reconsider. The motion will be dismissed.

The petitioner seeks nonimmigrant classification under section 101(a)(15)(U)(i) of the Immigration and Nationality Act ("the Act"), 8 U.S.C. § 1101(a)(15)(U)(i), as an alien victim of certain qualifying criminal activity. The director denied the petition because the petitioner did not submit the requisite law enforcement certification, and did not establish the requirements for U nonimmigrant classification. The AAO concurred with the director's decision, and dismissed the appeal on April 15, 2010.

In the present motion, the petitioner requests reconsideration because he "did [his] best to meet all the requirements," but unfortunately was not able to obtain a signed law enforcement certification. *See Statement of* , dated May 11, 2010.

A motion to reconsider a decision made by U.S. Citizenship and Immigration Services (USCIS) must state the reasons for reconsideration, and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or USCIS policy. 8 C.F.R. § 103.5(a)(3). A motion to reconsider also must establish that the decision was incorrect based on the evidence of record at the time of the initial decision. *Id.* A motion that does not meet applicable requirements shall be dismissed. 8 C.F.R. § 103.5(a)(4).

Here, the petitioner has not established that the AAO incorrectly applied the law or USCIS policy in dismissing his appeal. Accordingly, the motion to reconsider will be dismissed.

ORDER: The motion to reconsider is dismissed.