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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

**PUBLIC COPY**



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



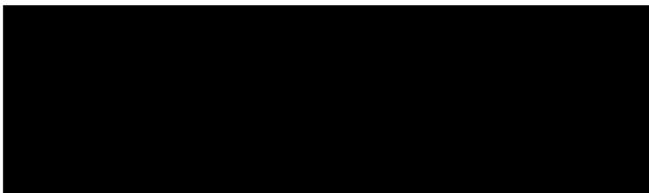
814

FILE:  Office: VERMONT SERVICE CENTER Date: **MAR 31 2011**

IN RE: 

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 APPLICANT:

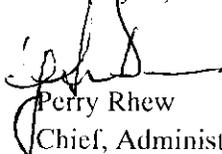


**INSTRUCTIONS:**

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, with a fee of \$630. 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

**DISCUSSION:** The Director, Vermont Service Center, denied the Petition for U Nonimmigrant Status (Form I-918) and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director denied the petition on May 27, 2010 because the petitioner did not establish that he suffered substantial physical or mental abuse as the result of the commission of qualifying criminal activity. *Decision of the Director*, dated May, 2010.

On June 29, 2010, counsel filed a Notice of Appeal (Form I-290B). On the Form I-290B, counsel indicated that he would forward additional evidence and/or a brief within thirty days. The regulation at 8 C.F.R. § 103.3(a)(2)(viii) and the instructions to Form I-290B require the affected party to submit the brief or evidence directly to the AAO, not to the Vermont Service Center or any other federal office. The record does not contain the brief and/or evidence that counsel indicated would be submitted to the AAO. Accordingly the record is complete.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states in pertinent part:

*Summary dismissal.* 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.

On appeal, counsel simply asserts that “the applicant respectfully appeals the denial. The applicant will file a written brief regarding the conclusion that he did not sustain mental abuse as a result of the criminal activity.” Counsel fails to identify either on the Form I-290B or through submission of a brief or evidence any erroneous conclusion of law or statement of fact made by the director. The applicant’s appeal will therefore be summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

**ORDER:** The appeal is dismissed.