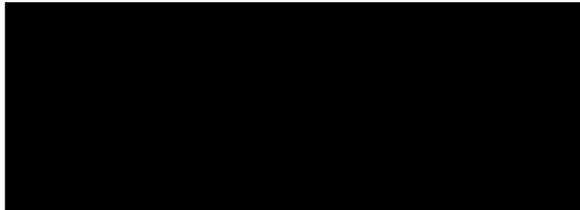




U.S. Citizenship
and Immigration
Services

**identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

PUBLIC COPY



A14

Date: OCT 04 2011 Office: VERMONT SERVICE CENTER

FILE:

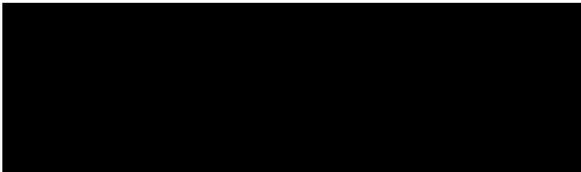


IN RE: PETITIONER:



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:



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 U petition) and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

On February 14, 2011, the director found that the petitioner did not establish that he had been the victim of a qualifying crime or criminal activity. The director denied the Form I-918 accordingly. *Decision of the Director*, dated February 14, 2011.

The record reflects that, on March 16, 2011, the petitioner filed a Notice of Appeal (Form I-290B), along with his affidavit and those from his family members, as well as copies of documentation previously provided.

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 refers to an attached brief as the reasons for appeal. Counsel failed to submit the referenced brief and the affidavits do not make any arguments in regard to the basis for the petitioner's appeal. Counsel and the petitioner failed 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 in regard to the director's *finding that the petitioner did not establish that he had been the victim of a qualifying crime or criminal activity* and, as such, the petitioner cannot meet the remaining eligibility criteria at section 101(a)(15)(U)(i) of the Act. 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. The petition remains denied.