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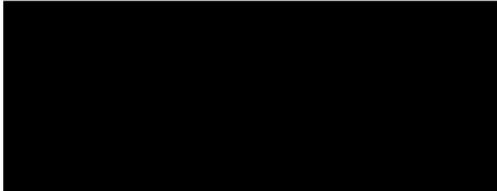
U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services

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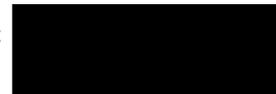
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Date: SEP 08 2011

Office: VERMONT SERVICE CENTER

FILE:



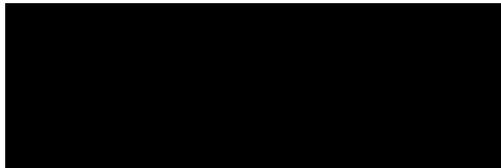
IN RE:

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,

Jerry 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 November 3, 2010, the director found that the petitioner did not establish that she had been the victim of a qualifying crime or criminal activity; she did not establish that she suffered substantial physical or mental abuse as the result of the commission of qualifying criminal activity; she did not possess credible and reliable information establishing that she has knowledge of the details concerning a qualifying criminal activity upon which her petition is based; and she failed to establish that she has been helpful, is being helpful, or is likely to be helpful to the certifying agency in the investigating or prosecuting of the qualifying criminal activity upon which her petition is based. The director denied the Form I-918 U petition accordingly. *Decision of the Director*, dated November 3, 2010.

On December 3, 2010, the petitioner filed a Notice of Appeal (Form I-290B), along with a fee waiver request and declaration in support of the fee waiver request.

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 states that “the adjudicator failed to properly consider the evidence presented in not finding that the applicant had been a victim of a qualifying criminal activity . . . .” Counsel initially indicated that she would file a brief within thirty days. On January 10, 2011, counsel submitted a letter indicating that she would not be submitting a brief or other documentation in support of the appeal. Counsel did not make any further arguments in regard to the basis for the petitioner’s appeal. Counsel 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 she had been the victim of a qualifying crime or criminal activity and, as such, the petitioner could not 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 summarily dismissed.