

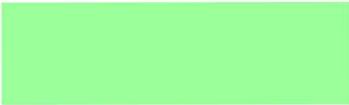
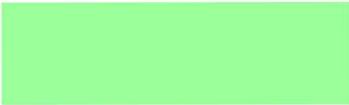


**U.S. Citizenship
and Immigration
Services**

(b)(6)

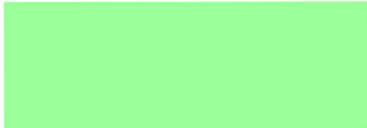


Date: **MAR 09 2013** Office: VERMONT SERVICE CENTER FILE: 

IN RE: Petitioner: 
Beneficiary: 

PETITION: Petition for U Nonimmigrant Classification for a Qualifying Family Member of a U-1 Recipient Pursuant to Section 101(a)(15)(U)(ii) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(U)(ii)

ON BEHALF OF PETITIONER:

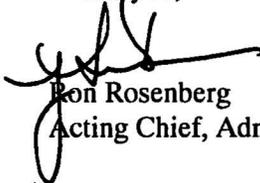


INSTRUCTIONS:

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 AAO inappropriately applied the law 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 in accordance with the instructions on Form I-290B, Notice of Appeal or motion, with a fee of \$630, or a request for a fee waiver. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** 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,


Ron Rosenberg

Acting Chief, Administrative Appeals Office

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DISCUSSION: The Director, Vermont Service Center, denied the Petition for Qualifying Family Member of a U-1 Recipient (Form I-918 Supplement A) submitted by the petitioner on behalf of her daughter. The petitioner's U nonimmigrant status petition (Form I-918) was approved and she has since adjusted to lawful permanent resident status. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed. The petition will remain denied.

The petitioner seeks nonimmigrant classification of her daughter under section 101(a)(15)(U)(ii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(U)(ii), as a qualifying family member of a U-1 nonimmigrant.

The director denied the Form I-918 Supplement A petition on April 11, 2011, because although the beneficiary met the criteria for U-3 nonimmigrant status as a qualifying family member of the petitioner, she is inadmissible to the United States and her Form I-192, Advance Permission to Enter as a Nonimmigrant was denied. On appeal, counsel submitted a Notice of Appeal (Form I-290B), indicating that a brief or other evidence would be submitted within 30 days, or by June 15, 2011. To date, over eight months later, the AAO has received no further brief or evidence regarding the Form I-918 Supplement A appeal from counsel or the petitioner.

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 the Form I-290B, counsel stated that she concurrently filed a motion to reopen/reconsider the denial of the beneficiary's Form I-192. Counsel requested that the adjudication of the Form I-918 Supplement A appeal be held in abeyance until the motion to reopen/reconsider the Form I-192 decision was adjudicated. The motion to reopen/reconsider was dismissed by the director on August 13, 2012. Counsel failed to identify any specific erroneous conclusion of law or statement of fact in the director's denial of the Form I-918 Supplement A and the AAO has received no further evidence or brief in support of the appeal. Accordingly, the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed. The petition remains denied.