

(b)(6)

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



Date: Office: VERMONT SERVICE CENTER FILE:   
OCT 10 2014

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:

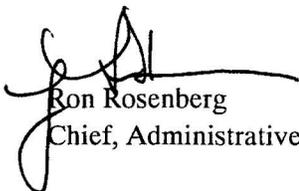


INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,

  
Ron Rosenberg  
Chief, Administrative Appeals Office

**DISCUSSION:** The Director, Vermont Service Center (the director), denied the U nonimmigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed and the petition will remain denied.

The petitioner seeks nonimmigrant classification under section 101(a)(15)(U) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(U), as an alien victim of certain qualifying criminal activity.

The director denied the petition because the petitioner did not submit a properly executed Form I-918 Supplement B, U Nonimmigrant Status Certification (Form I-918 Supplement B), and consequently did not meet any of the eligibility criteria for U nonimmigrant classification at section 101(a)(15)(U)(i) of the Act.

Pursuant to 8 C.F.R. § 103.3(a)(1)(v), an appeal shall be summarily dismissed if the party concerned fails to specifically identify any erroneous conclusion of law or statement of fact for the appeal. Here, counsel for the petitioner checked box 1b in part 3 of the Form I-290B, Notice of Appeal or Motion (Form I-290B), which states that the petitioner is filing an appeal and that a “brief and/or additional evidence will be submitted to the AAO within 30 days.” Counsel also marked box 2f in Part 3 of the Form I-290B, indicating that the petitioner is filing a motion to reopen and a motion to reconsider a decision and that the petitioner’s brief and/or additional evidence is attached. However, no brief or evidence was attached, and in a separate attachment, counsel stated only that a brief and additional evidence would be submitted within 30 days. The attachment does not set forth the basis of the appeal, or identify any legal or factual error in the director’s decision. In a subsequent letter, dated April 15, 2014, counsel requested a 30-day extension of time to file the brief and evidence. As of the date of this decision, over five months later, the AAO has not received the petitioner’s brief or evidence.

The petitioner here has failed to identify any erroneous conclusion of law or statement of fact in the director’s decision in support of his appeal, as required by regulation at 8 C.F.R. § 103.3(a)(1)(v). The AAO, therefore, will summarily dismiss the appeal.

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