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

(b)(6)

U.S. Citizenship and Immigration Services

DATE: JUL 3 1 2015

FILE #:
PETITION RECEIPT #:

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:

Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Thank you,

for Ron Rosenberg
Chief, Administrative Appeals Office

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

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 Form I-918, Petition for U Nonimmigrant Status (Form I-918 U petition), because the petitioner was inadmissible to the United States on multiple grounds and his Form I-192, Application for Advance Permission to Enter as a Nonimmigrant (Form I-192), had been denied.

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, the petitioner checked box 1(a) at part 3 of the Form I-290B, Notice of Appeal or Motion (Form I-290B), indicating that he is filing an appeal and that a brief and/or additional evidence is attached. However, no brief was attached to the appeal notice. In a separate attachment, the petitioner briefly noted that the director's denial of the Form I-918 U petition was based solely on the denial of the Form I-192 waiver application, and indicated that he was simultaneously filing a motion to reopen and reconsider the denial of his Form I-192. The petitioner requested that his Form I-918 U petition be approved if the director granted his motion and approved his waiver application. The record indicates that the director denied the petitioner's motion relating to his Form I-192 waiver application on February 12, 2015. As we do not have jurisdiction over the denial of a Form I-192, and as the petitioner has not specifically identified any legal or factual error in the director's decision denying the Form I-918 U petition, the instant appeal must be summarily dismissed pursuant to the regulation at 8 C.F.R. § 103.3(a)(1)(v).

In visa petition proceedings, it is the petitioner's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013). Here, that burden has not been met.

ORDER: The appeal is summarily dismissed.