



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

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF E-A-M-

DATE: SEPT. 2, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

PETITION: FORM I-918, PETITION FOR U NONIMMIGRANT STATUS

The Petitioner seeks nonimmigrant classification as a victim of certain qualifying criminal activity *See* section 101(a)(15)(U) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(U). The Director, Vermont Service Center, denied the petition. The matter is now before us on appeal. The appeal will be summarily dismissed.

The Director denied the Form I-918, Petition for U Nonimmigrant Status, finding that the Petitioner did not establish that she suffered substantial physical or mental abuse as a result of having been a victim of qualifying criminal activity; that she possesses information regarding the criminal activity; that she has been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution; and that the qualifying criminal activity occurred in the United States or its territories or possessions.

On appeal, the Petitioner has not provided any statement explaining the basis for her appeal, as required at Part 4 of the Form I-290B, Notice of Appeal or Motion. Rather, she briefly states that the Director's decision was in error and generally alleges that the Director interpreted the relevant law and regulations too narrowly. She does not, however, provide a specific reference to any law or regulation. Further, although the Petitioner states that the Director did not consider the role of the Petitioner's testimony in the conviction of the perpetrator of the crime she witnessed, even if true, it relates only to one of the four statutory prongs upon which the director's decision was based. Finally, although the Petitioner points to the certification of her Form I-918 Supplement B, U Nonimmigrant Status Certification (Form I-918 Supplement B), this form documents only the certified criminal activity. The certification of the Form I-918 Supplement B does not establish the Petitioner's eligibility.

In her statement and on the Form I-290B, the Petitioner indicated that she would submit a brief and/or additional evidence within 30 days of filing the appeal. The appeal was filed on October 31, 2014. As of the date of this decision, we have not received any new evidence or a brief specifically addressing any error in the Director's decision.

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. 8 C.F.R. § 103.3(a)(1)(v). As the Petitioner has not specifically identified any erroneous conclusion

of law or statement of fact in the Director's decision, we must summarily dismiss the appeal in accordance with 8 C.F.R. § 103.3(a)(1)(v).

The burden of proof in these proceedings rests solely with the petitioner. Section 291 of the Act, 8 U.S.C. § 1361; *Matter of Otiende*, 26 I&N Dec. 127, 128 (BIA 2013). Here, the Petitioner has not met that burden.

**ORDER:** The appeal is summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

Cite as *Matter of E-A-M*, ID # 13300 (AAO Sept. 2, 2015)