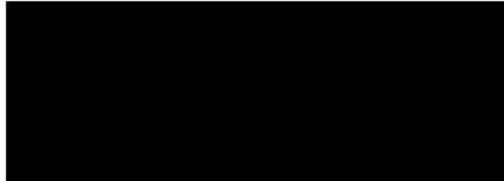


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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services



B14

Date: **JUN 17 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,

  
Perry 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 October 29, 2010, the director found that the petitioner did not establish that she was the victim of qualifying criminal activity; she suffered substantial physical or mental abuse as the result of the commission of qualifying criminal activity; she possesses 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 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 accordingly. *Decision of the Director*, dated October 29, 2010. The record reflects that, on November 29, 2010, counsel filed a Notice of Appeal (Form I-290B).

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 simply asserts: “the certifying official has provided detailed information for the applicant’s helpfulness in prosecuting the criminals who helped her and others smuggle(d) into USA. But due to the official’s absence from USA and heavy engagement in his job, the required information was not submitted. As a matter of fact, however, the required information has already been provided in our submission. If it is still not sufficient, the official may be reached for verification.” 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. The applicant’s appeal will therefore be summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

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