



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

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

In Re: 22457177

Date: AUG. 22, 2022

Appeal of Vermont Service Center Decision

Form I-918, Petition for U Nonimmigrant Status

The Petitioner seeks “U-1” nonimmigrant classification under sections 101(a)(15)(U) and 214(p) of the Immigration and Nationality Act (the Act), 8 U.S.C. §§ 1101(a)(15)(U) and 1184(p). The Director of the Vermont Service Center denied the Form I-918, Petition for U Nonimmigrant Status (U petition), and the matter is now before us on appeal. On appeal, the Petitioner submits a statement and additional evidence. Upon *de novo* review, we will dismiss the appeal.

**I. LAW**

Section 101(a)(15)(U)(i) of the Act provides U-1 nonimmigrant classification to victims of qualifying crimes who suffer substantial physical or mental abuse as a result of the offense. These victims must also possess information regarding the qualifying crime and be helpful to law enforcement officials in their investigation or prosecution of it. *Id.*

The petitioner bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. 8 C.F.R. § 214.14(c)(4); *Matter of Chawathe*, 25 I&N Dec. 369, 375 (AAO 2010). As a part of meeting this burden, a petitioner must submit a Form I-918 Supplement B, U Nonimmigrant Status Certification (Supplement B), from a law enforcement official certifying a petitioner’s helpfulness in the investigation or prosecution of the qualifying criminal activity. Section 214(p)(1) of the Act; 8 C.F.R. § 214.14(c)(2)(i). The Supplement B must be signed by the certifying official within the six months immediately preceding the filing of the U petition. 8 C.F.R. § 214.14(c)(2)(i). Although a petitioner may submit any evidence for us to consider, we determine, in our sole discretion, the credibility of and weight given to all of the evidence, including the Supplement B. Section 214(p)(4) of the Act; 8 C.F.R. § 214.14(c)(4).

**II. ANALYSIS**

The Petitioner, a citizen of Cape Verde, filed the instant U petition in October 2021. The Director denied the U petition for lack of initial required evidence, as the petition was not accompanied by a properly executed Supplement B.

On appeal, the Petitioner claims the decision was incorrect, and lists the supporting documents that she has included with her appeal, such as a police and court report, a copy of another blank Supplement B, her Form I-94 arrival record, and passport style photographs.

As stated above, the submission of a Supplement B is required by statute at section 214(p)(1) of the Act (“The petition filed . . . under section 101(a)(15)(U)(i) [of the Act] shall contain a certification . . . .”). Moreover, as provided by the regulation at 8 C.F.R. § 214.14(c)(2)(i), a U petition “must include” as initial evidence a Supplement B “signed by a certifying official within the six months immediately preceding the filing of” the U petition. Our review of the record does not demonstrate that a Supplement B was filed with the Petitioner’s original submission. The Petitioner included multiple copies of blank Supplements B, with no information included, nor signature from a certifying official. Because the Petitioner did not file her U petition with the required initial evidence, the Petitioner is not eligible for U nonimmigrant status under section 101(a)(15)(U) of the Act.<sup>1</sup>

### III. CONCLUSION

The Petitioner filed her U petition without including, as required initial evidence, a properly executed Supplement B, as section 214(p)(1) of the Act and 8 C.F.R. § 214.14(c)(2)(i) require. Accordingly, the Petitioner has not established her eligibility for U nonimmigrant status under section 101(a)(15)(U) of the Act.<sup>2</sup>

**ORDER:** The appeal is dismissed.

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<sup>1</sup> While the Petitioner submitted another Supplement B with her appeal, this Supplement B would remain insufficient as it has not been signed and completed by a certifying official, and remains blank, aside from the Petitioner’s name in Part 1 of the form.

<sup>2</sup> This decision is without prejudice to the Petitioner’s filing of a new U petition including, as initial required evidence, a properly executed Supplement B.