



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

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

In Re: 18951585

Date: NOV. 09, 2022

Appeal of Vermont Service Center Decision

Form I-914, Application for T Nonimmigrant Status

The Applicant seeks T-1 nonimmigrant classification as a victim of human trafficking under sections 101(a)(15)(T) and 214(o) of the Immigration and Nationality Act (the Act), 8 U.S.C. sections 1101(a)(15)(T) and 1184(o). The Director of the Vermont Service Center denied the Form I-914, Application for T Nonimmigrant Status (T application). The matter is now before us on appeal. We review the questions in this matter *de novo*. See *Matter of Christo's Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon *de novo* review, we will dismiss the appeal.

We issued a notice of intent to dismiss (NOID) on June 7, 2022, explaining that the Applicant did not establish that he is the victim of a severe form of trafficking in persons, a predicate requirement to establishing the remaining eligibility criteria for T nonimmigrant classification under section 101(a)(15)(T)(i) of the Act. In our NOID, we explained the basis for our determination and provided the Applicant with an opportunity to rebut derogatory information in the record of proceeding. Specifically, we explained that the record did not demonstrate that his former employer recruited or obtained him through the use of force, fraud, or coercion for the purpose of subjecting the Applicant to involuntary servitude, as he claimed. See 8 C.F.R. § 214.11(a) (defining “severe form of trafficking in persons” and “involuntary servitude”).

We provided the Applicant 33 days to rebut this finding. USCIS has granted flexibility with respect to responding to agency notices such as NOIDs due to the coronavirus pandemic. Consistent with USCIS guidance, we accept responses up to 60 calendar days after the due date set forth in the notice for notices issued between March 1, 2020, and July 25, 2022. See USCIS Alert, “USCIS Extends Flexibility for Responding to Agency Requests,” (Mar. 30, 2022), <https://www.uscis.gov/newsroom/alerts/uscis-extends-flexibility-for-responding-to-agency-requests-1>.

As of the date of this decision, we have not received a response. A benefit request may be denied as abandoned, denied based on the record, or denied for both reasons if an applicant does not respond to a request for evidence or a notice of intent to deny by the required date. 8 C.F.R. § 103.2(b)(13)(i). Here, the Applicant did not timely respond to our NOID within the time period allowed in the notice. Furthermore, as discussed in the NOID, the record demonstrates that he has not established his

eligibility for T nonimmigrant classification under section 101(a)(15)(T) of the Act. Therefore, the appeal will be dismissed for both abandonment and based on the record.

**ORDER:** The appeal is dismissed.