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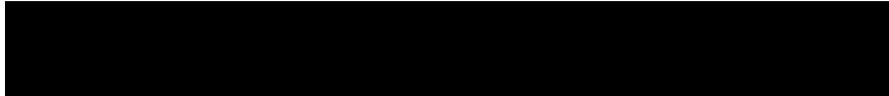
FILE:



Office: SAN FRANCISCO, CA

Date: JUN 08 2004

IN RE:



APPLICATION: Application for Waiver of Grounds of Inadmissibility under Section 212(i) of the
Immigration and Nationality Act, 8 U.S.C. § 1182(i)

ON BEHALF OF APPLICANT: SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Handwritten signature of Robert P. Wiemann

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The waiver application was denied by the District Director, San Francisco, California. A subsequent appeal and motion to reconsider were both dismissed by the Administrative Appeals Office (AAO). The matter is now before the AAO on a second motion to reconsider. The motion will be summarily dismissed and the previous decisions of the District Director and the AAO will be affirmed.

The applicant is a native and citizen of the Philippines who was admitted to the United States on May 16, 1985 as a nonimmigrant visitor. The applicant signed the nonimmigrant visa application and failed to indicate that her mother was living in the United States. The applicant filed an Application for Status as Permanent Resident (Form I-485) on August 14, 1985. The application was denied as a matter of discretion after determining the applicant to be inadmissible to the United States under section 212(a)(6)(C)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i), for having procured a visa and admission into the United States by fraud or willful misrepresentation. In January 1995, the applicant filed a second Form I-485 application making no mention of her marriage on October 15, 1987 to [REDACTED]. The Form I-485 application was again denied under section 212(a)(6)(C)(i) of the Act, 8 U.S.C. § 1182(a)(6)(C)(i). The applicant seeks a waiver of inadmissibility in order to remain in the United States with her husband and family.

The district director concluded that the applicant had failed to establish that extreme hardship would be imposed on a qualifying relative and denied the Application for Waiver of Grounds of Excludability (Form I-601) accordingly. The decision was affirmed by the AAO on appeal and first motion to reconsider. *Decisions of the AAO*, dated February 28, 2003 and November 22, 2003, respectively.

In the present motion to reconsider, filed December 8, 2003, the applicant asserts that her residency in the United States with her husband and family should be considered permanent because she has lived in this country for over 18 years. *Re: File No. A27 160 600 Carolina Novicio Yoshida*, dated December 3, 2003.

The applicant fails to submit any additional evidence on second motion to reconsider. The record contains a letter from the applicant's mother [REDACTED] dated July 9, 2001; a copy of a U.S. Postal Service Certified Mail receipt; a copy of the birth certificate for the applicant's son, [REDACTED] evidence of scholastic performance by [REDACTED] a copy of the certificate of the applicant's marriage to [REDACTED] and a copy of Mr. [REDACTED] passport.

8 C.F.R. § 103.3(v) (2002) states in pertinent part:

(v) 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.

The applicant has failed to identify any erroneous conclusion of law or statement of fact in her appeal. The motion will therefore be summarily dismissed.

ORDER: The appeal is summarily dismissed.