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

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FILE: [REDACTED] Office: MADRID, SPAIN Date: **OCT 27 2005**

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Waiver of Grounds of Inadmissibility under §§ 212(i) and 212(a)(9)(B) of the Immigration and Nationality Act (INA), 8 U.S.C. §§ 1182(i) and 1182(a)(9)(B)

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.

Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The Application for a Waiver of Inadmissibility was denied by the Officer in Charge, Madrid, Spain, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The AAO notes that the record contains correspondence from Mr. [REDACTED] Utah, who indicated that he was the applicant's representative. In addition, the applicant wrote that he wished Mr. [REDACTED] to represent him on appeal. The record contains no Form G-28 Notice of Entry as Representative, however, and Mr. [REDACTED] stated that he has not filed any brief on appeal in the instant matter. Therefore, the AAO considers the applicant to be self-represented.

On April 20, 2004 the officer in charge found that the applicant was inadmissible to the U.S. pursuant to §§ 212(a)(6)(C)(i) and (a)(9)(B)(i)(II) of the Immigration and Nationality Act (INA, the Act), 8 U.S.C. §§ 1182(a)(6)(C)(i) and (a)(9)(B)(II). The officer in charge determined that the applicant had failed to establish that his U.S. citizen wife would suffer extreme hardship on account of the applicant's inadmissibility. The applicant seeks a waiver of inadmissibility in order to reside in the United States with his wife.

The applicant submitted a timely Form I-290B on May 18, 2004 and indicated that a brief and/or additional evidence would be submitted to the AAO within 70 days. As of this date, however, the AAO has not received any additional evidence into the record. Therefore, the record is complete.

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). In his letter attached to the Form I-290B, the applicant fails to specify how the officer in charge made any erroneous conclusion of law or statement of fact in denying the application. The applicant relates his concerns regarding his financial and other logistic difficulties in filing the immigration paperwork, his difficulty in communicating information about his past marriages, and his wife's and mother in law's desire to provide more information regarding their hardship. Nevertheless, none of the applicant's statements on appeal constitutes additional evidence to overcome the decision of the officer in charge; therefore, the appeal will be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

The burden of proof in this proceeding rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner has not sustained that burden.

**ORDER:** The appeal is dismissed.