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

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[REDACTED]

FILE: [REDACTED] Office: PHOENIX Date: AUG 21 2006

IN RE: [REDACTED]

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:

[REDACTED]

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The District Director, Phoenix, Arizona, denied the waiver application and it is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that, on October 26, 2004, the district director found that the applicant was inadmissible to the United States pursuant to section 212(a)(6)(C)(i) of the Immigration and Nationality Act (“the Act”), 8 U.S.C. § 1182(a)(6)(C)(i), as an alien who procured admission to the United States by fraud or misrepresentation and failed to establish that extreme hardship would be imposed on a qualifying relative. The district director denied the Application for Waiver of Grounds of Excludability (Form I-601) accordingly. *Decision of the District Director*, dated October 26, 2004.

8 C.F.R. § 103.3(a)(v) 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 record reflects that, on November 10, 2004, counsel filed a Notice of Appeal to the Administrative Appeals Office (Form I-290B). On appeal, counsel simply asserts, “extreme hardship was in fact proven as a matter of law; and, in addition, proof not previously available is submitted as newly obtained evidence in support of appeal.” Counsel did not submit a brief or additional evidence with the Form I-290B. The Form I-290B indicated that counsel would submit a separate brief or evidence on appeal within 30 days. On May 15, 2006, the AAO informed counsel that he had five days in which to submit the brief and/or evidence with the AAO. At no time did counsel submit a brief and/or evidence to the AAO. 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 district director. The applicant’s appeal will therefore be summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(v).

ORDER: The appeal is dismissed.