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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

Hz

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[REDACTED]

FILE:

[REDACTED]

Office: CHICAGO, ILLINOIS

Date: **MAY 30 2006**

IN RE:

Applicant:

[REDACTED]

APPLICATION: Application for Waiver of Grounds of Inadmissibility under § 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 Application for a Waiver of Inadmissibility was denied by the District Director, Chicago, Illinois, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that on March 19, 2001, the petitioner filed a Form I-130 Petition for Alien Relative, which was not adjudicated. The applicant, a native and citizen of Nigeria, was found to be inadmissible to the U.S. pursuant to § 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 admission to the United States in 2000 by using her cousin's British passport. The applicant filed an application to adjust status and a waiver of inadmissibility, both of which were denied on February 4, 2004. The applicant submitted an appeal of the waiver denial on February 19, 2004.

The petitioner gave a sworn statement to a Citizenship and Immigration Services (CIS) officer on August 23, 2004 in which he admitted that his marriage to the beneficiary/applicant was not legitimate. He withdrew his I-130 petition. Given that there is now no basis upon which to adjust the applicant's status, no purpose would be served in requesting a waiver of inadmissibility; hence, this appeal of the waiver denial is moot. The appeal will be dismissed.

ORDER: The appeal is dismissed.