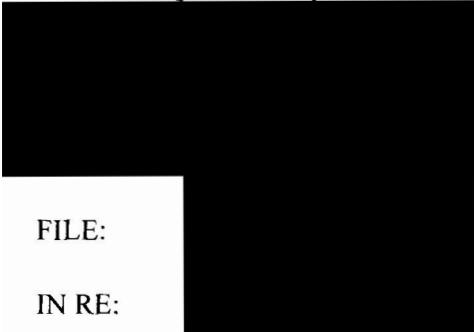




U.S. Citizenship
and Immigration
Services

HR

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prevent clearly unwarranted
invasion of personal privacy



FILE:

Office: NEW DELHI

Date: NOV 29 2006

IN RE:

PETITION: 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 PETITIONER:

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, Chief
Administrative Appeals Office

DISCUSSION: The Acting Officer in Charge (Acting OIC), New Delhi, India denied the waiver application. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The applicant [REDACTED] is a native and citizen of Bangladesh, who misrepresented his age in order to qualify for a derivative immigrant visa, as an unmarried child of an alien lawfully admitted for permanent residence. The Acting OIC found the applicant to be 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), for having sought to procure admission into the United States by fraud or willful misrepresentation. In order to join his lawful permanent resident father in the United States, the applicant seeks a waiver of inadmissibility under section 212(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(i),

The record reflects that Mr. [REDACTED] misrepresented his age on his application for an immigrant visa in 1995. As a result of this misrepresentation, the Acting OIC found the applicant to be inadmissible pursuant to section 212(a)(6)(C)(i) of the Act, 8 U.S.C. § 1182 (a)(6)(C)(i). *Acting OIC's decision*, dated March 28, 2005. The Acting OIC also 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 Ground of Inadmissibility (Form I-601). *Id.*

On May 9, 2005, the applicant submitted a Form I-290B (Notice of Appeal) without a brief or evidence and marked the box at section 2, indicating that he was not submitting a brief or evidence. The record is, therefore, considered complete.

An officer to whom an appeal is made shall summarily dismiss the appeal if the party concerned fails to specifically identify any erroneous conclusion of law or statement of fact in the original decision. 8 C.F.R. § 103.3(a)(1)(v).

The Notice of Appeal simply states the following:

I have nothing new to add or mention in this case. I believe the Board of Immigration Appeals will do justice in this case.

The applicant did not specify any erroneous conclusion of law or statement of fact in the Acting OIC's decision. As the applicant presents no additional evidence on appeal to overcome the decision, 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 petitioner. Section 291 of the Act, 8 U.S.C. § 1361. The petitioner has not sustained that burden.

ORDER: The appeal is summarily dismissed.