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U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

**PUBLIC COPY**

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[REDACTED]

FILE:

[REDACTED]

Office: PHOENIX, AZ

Date:

AUG 14 2007

IN RE:

Applicant:

[REDACTED]

APPLICATION: Application for Waiver of Ground of Excludability pursuant to section 212(i) of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1182(i)

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision 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 was denied by the District Director, Phoenix, Arizona and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The applicant is a native and citizen of Mexico who was found 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 attempted to procure admission into the United States on August 14, 1983 by presenting a false identity document. The applicant is married to a lawful permanent resident and is the mother of three U.S. citizen children. She seeks a waiver of inadmissibility pursuant to section 212(i) of the Act, 8 U.S.C. § 1182(i), to reside in the United States with her family.

The district director denied the Form I-601, Application for Waiver of Grounds of Inadmissibility, after determining that the applicant had failed to demonstrate that a qualifying relative would suffer extreme hardship if she were to be removed from the United States. He denied the application accordingly. *Decision of the District Director*, dated February 15, 2006.

The applicant submits a timely filed Form I-290B, Notice of Appeal to the Administrative Appeals Unit. With the Form I-290B, the applicant provides a sworn statement dated December 3, 2005 and requesting a waiver of her inadmissibility from the U.S. Attorney General. The applicant indicates on the Form I-290B that she will not be submitting additional evidence. Accordingly, the record is considered complete.

Under Section 3 of the Form I-290B, the applicant provides the following reason for her appeal of the district director's decision:

I am respectfully requesting that the United States Department of Justice await the decision of the United States Attorney General response for a waiver mailed on December 5, 2005 (See copy enclosed)

A review of the request submitted to the Attorney General finds it to be a summary of the applicant's immigration history, including an account of her attempt to enter the United States on August 14, 1983. Although the applicant disputes the district director's characterization of the events of August 14, 1983, the claims she makes in the December 3, 2005 statement were addressed and definitively rebutted by the district director in his February 15, 2006 denial of the Form I-601.

Pursuant to the regulation at 8 C.F.R. § 103.3(a)(1)(v), 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.

On appeal, the applicant in the present case does not contest the district director's determination that she failed to provide sufficient evidence to establish that a qualifying relative would suffer extreme hardship were she to be returned to Mexico, the basis of his denial of the Form I-601. Neither does she submit additional evidence to overcome the decision of the director. The applicant has, therefore, failed to establish that the district director's decision was based on an erroneous conclusion of law or statement of fact. Accordingly, the appeal will be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

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

**ORDER:** The appeal is dismissed.