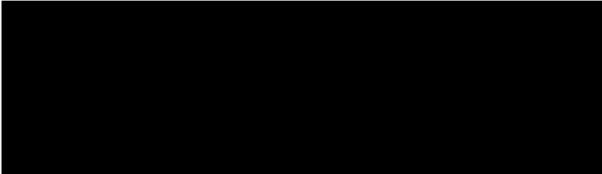




U.S. Citizenship  
and Immigration  
Services

Identifying data deleted to  
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invasion of personal privacy

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FILE: [REDACTED] Office: NEW YORK, NY Date: DEC 21 2007

IN RE: [REDACTED]

PETITION: Application for Waiver of Grounds of Inadmissibility under Section 212(h) of the Immigration and Nationality Act, 8 U.S.C. § 1182(h)

ON BEHALF OF PETITIONER:



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 waiver application was denied by the District Director, New York, New York and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as moot as the applicant is a lawful permanent resident.

The applicant is a native and citizen of the former Yugoslavia who was initially found to be inadmissible to the United States under section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(2)(A)(i)(I), for having been convicted of a crime involving moral turpitude. The applicant is the spouse of a U.S. citizen.

On July 13, 2005 the applicant filed a Form I-601, Application for Waiver of Ground of Excludability with Citizenship and Immigration Services (CIS). On July 15, 2005 the District Director denied the applicant's Form I-601 and Form I-485, Application to Adjust Status to Lawful Permanent Resident. On August 15, 2005 the applicant filed a Motion to Reopen with the District Director and a Form I-290B appeal of the Form I-601 waiver denial with the AAO. On February 28, 2006 the District Director granted the applicant's Motion to Reopen and approved the Form I-485. On February 28, 2006 the applicant adjusted his status to lawful permanent resident. *See Form I-485, Approval Stamp.*

As the applicant is currently a lawful permanent resident, he does not require a waiver of inadmissibility. Accordingly, the Form I-601 application is moot and the appeal will be dismissed.

**ORDER:** The appeal is dismissed as the underlying Form I-601 waiver application is moot.