



U.S. Citizenship
and Immigration
Services

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FILE:

Office: CHICAGO, IL
[consolidated therein]

Date: **MAR 27 2007**

IN RE:

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:

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, Chicago, Illinois. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that the applicant is a native and citizen of Mexico who was found to be inadmissible to the United States pursuant to section 212(a)(6)(C)(i) of Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i), for attempting to procure admission to the United States by fraud or willful misrepresentation. The record indicates that the applicant is married to a United States citizen. The applicant seeks a waiver of inadmissibility pursuant to section 212(i) of the Act, 8 U.S.C. § 1182(i), in order to reside in the United States with his United States citizen spouse and three United States citizen children.

The District Director found that the applicant failed to establish that extreme hardship would be imposed on the applicant's spouse and denied the Application for Waiver of Grounds of Excludability (Form I-601) accordingly. *District Director Decision*, dated February 28, 2005.

On appeal, the applicant, through counsel, asserts that Citizenship and Immigration Services (CIS) erred in their decision and it "fails to follow well-established principles on the proper weighing of factors to establish 'extreme hardship'". *Form I-290B*, filed March 10, 2005. Counsel requested 30-days to submit a brief and/or evidence to the AAO, and no brief or additional evidence was filed within 30-days. On February 22, 2007, the AAO faxed counsel requesting the timely filed brief and/or additional evidence or a statement by counsel that neither a brief nor evidence was filed; however, the AAO received no reply from counsel. The AAO notes that no other evidence or information was submitted, and the appeal does not dispute or otherwise address the grounds upon which the applicant's Form I-601 was denied.

8 C.F.R. § 103.3(a)(1)(v) states in pertinent part that:

- (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 AAO finds that the applicant's appeal fails to identify any erroneous conclusion of law or statement of fact in the District Director's decision. The appeal is therefore summarily dismissed.

ORDER: The appeal is summarily dismissed.