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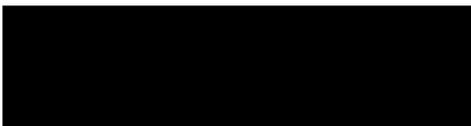
U.S. Department of Homeland Security
20 Massachusetts Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE:



Office:

DENVER, CO

Date:

OCT 01 2007

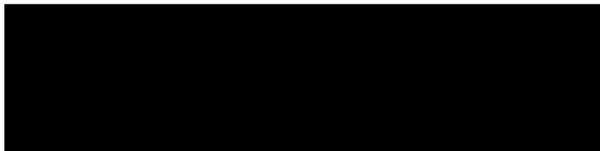
IN RE: Applicant:



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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The District Director, Denver, Colorado, denied the Form I-601, Application for Waiver of Ground of Excludability (Form I-601). The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected as improperly filed.

In order to properly file an appeal, the regulation at 8 C.F.R. § 103.3(a)(2)(i) provides that the affected party must file an appeal on the Form I-290B, Notice of Appeal to the Administrative Appeals Office (Form I-290B), with the office where the unfavorable decision was made. The record indicates that the district director issued the decision on December 23, 2005. Counsel for the applicant sent a filing fee, a cover letter and supporting documentation to the office that issued the unfavorable decision, requesting an appeal. However, the Form I-290B was not included. Accordingly, the appeal has not been properly filed. The district director erroneously annotated the appeal as properly filed and forwarded the matter to the AAO.

Neither the Act nor the pertinent regulations grant the AAO authority to accept an appeal without the corresponding Form I-290B, Notice of Appeal. As the appeal was improperly filed, the appeal must be rejected.

ORDER: The appeal is rejected.