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U.S. Citizenship  
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FILE: [REDACTED]

Office: PHILADELPHIA

Date:

APR 11 2008

IN RE: Applicant: [REDACTED]

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

ON BEHALF OF APPLICANT:



**DISCUSSION:** The waiver application was denied by the District Director, Philadelphia, Pennsylvania. The matter is now before the Administrative Appeals Office on appeal. On February 19, 2008, the applicant's spouse withdrew her Petition for Alien Relative (Form I-130), which she filed on behalf of the applicant on March 20, 2001. Since the applicant's wife withdrew the Form I-130, there is no underlying petition on which to base the Waiver of Grounds of Excludability (Form I-601). Therefore, the appeal is dismissed based on the withdrawal of the underlying Form I-130.

**ORDER:** The appeal is dismissed based on the withdrawal of the Form I-130 by the applicant's spouse.

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

Robert P. Wiemann, Chief  
Administrative Appeals Office