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U.S. Department of Homeland Security
20 Massachusetts Avenue NW, Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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[REDACTED]

FILE:

Office: PHOENIX, ARIZONA

Date: APR 29 2008

IN RE:

Applicant:

[REDACTED]

APPLICATION:

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 APPLICANT:

[REDACTED]

DISCUSSION: The waiver application was denied by the District Director, Phoenix, Arizona. The matter is now before the Administrative Appeals Office (AAO) on appeal. On December 29, 2004, the applicant filed an Application to Register Permanent Residence or Adjust Status (Form I-485), based on an approved Petition for Alien Relative (Form I-130). On February 22, 2006, the applicant filed a Waiver of Grounds of Excludability (Form I-601). On April 27, 2006, the District Director denied the applicant's Form I-601. On March 18, 2008, the applicant, through counsel, withdrew his pending Form I-485 and Form I-601. Since the applicant withdrew his Form I-485 and Form I-601, there is no underlying petition on which to base the Form I-601. Therefore, the AAO finds that the appeal is dismissed based on the withdrawal of the underlying Form I-485 and Form I-601.

ORDER:

The appeal is dismissed based on the withdrawal of the Form I-485 and Form I-601 by applicant's counsel.

Robert P. Wiemann, Chief
Administrative Appeals Office