



U.S. Citizenship
and Immigration
Services

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

PUBLIC COPY



43

FILE:



Office: EL PASO, TX

Date: **AUG 09 2007**

IN RE:



APPLICATION: Application for Waiver of Grounds of Inadmissibility under section 212(a)(9)(B) of the
Immigration and Nationality Act, 8 U.S.C. § 1182(a)(9)(B)

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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 application was denied by the District Director, El Paso, Texas. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native and citizen of Mexico who was found to be inadmissible to the United States pursuant to section 212(a)(9)(B)(i)(II) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(B)(i)(II), for having been unlawfully present in the United States for more than one year and seeking readmission within 10 years of her last departure from the United States. The applicant was previously married to a U.S. citizen and seeks a waiver of inadmissibility in order to reside in the United States.

The district director noted that the record included a divorce decree showing that the applicant was divorced from her U.S. citizen spouse and, thus, found the applicant no longer qualified for a waiver. The application was denied accordingly. *Decision of the District Director*, dated May 20, 2005.

On appeal, the applicant submits a Form I-290B, Notice of Appeal to the Administrative Appeals Unit, entirely in the Spanish language. No English translation is provided, although the regulation at 8 C.F.R. § 103.2(b)(3) requires a document containing foreign language to be submitted to Citizenship and Immigration Services with a full English language translation that has been certified as complete and accurate by the translator. Because the applicant fails to submit a certified translation of the Form I-290B, the AAO cannot determine the basis for the appeal.

8 C.F.R. § 103.3(a)(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 Form I-290B fails to identify any erroneous conclusion of law or statement of fact in the district director's decision. The appeal is therefore dismissed.

ORDER: The appeal is dismissed.