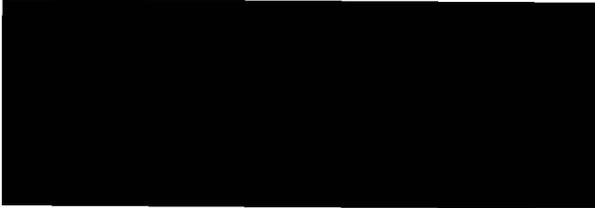


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FILE: [redacted] Office: CALIFORNIA SERVICE CENTER Date: **APR 11 2008**  
[relates]

IN RE: APPLICANT: [redacted]

APPLICATION: Application for Permission to Reapply for Admission into the United States after  
Deportation or Removal under Section 212(a)(9)(A) of the Immigration and  
Nationality Act, 8 U.S.C. § 1182(a)(9)(A)

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 cursive script, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application for permission to reapply for admission after removal was denied by the Director, California Service Center, and 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. On July 15, 1977, the applicant attempted to enter the United States without inspection. On December 27, 1977, an immigration judge granted the applicant voluntary departure, and on February 16, 1978, the applicant voluntarily departed the United States. On September 3, 1981, the applicant's daughter, [REDACTED] was born in California. On May 18, 1986, the applicant's son, [REDACTED] was born in California. On May 17, 1996, the applicant's son, [REDACTED] was born in Arizona. In August 1998, the applicant entered the United States by falsely claiming United States citizenship. On April 23, 1999, the applicant plead guilty to False Statement in Passport Application, in violation of 18 U.S.C. § 1542, and was convicted of that offense. On May 5, 1999, an immigration judge ordered the applicant removed from the United States, and on the same day, the applicant was removed to Mexico. The applicant is inadmissible to the United States under section 212(a)(9)(A)(ii)(I) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(A)(ii), and section 212(a)(6)(C)(ii) of the Act, 8 U.S.C. § 1182(a)(6)(C)(ii). He now seeks permission to reapply for admission into the United States under section 212(a)(9)(A)(iii) of the Act, 8 U.S.C. § 1182(a)(9)(A)(iii), in order to reside with his United States citizen children.

The director determined that the applicant is inadmissible pursuant to section 212(a)(6)(C)(ii) of the Act, 8 U.S.C. § 1182(a)(6)(C)(ii), for falsely claiming himself to be a citizen of the United States. The director determined that the "applicant is inadmissible, without any exceptions or waivers considered," and denied the applicant's Application for Permission to Reapply for Admission After Deportation or Removal (Form I-212) accordingly. *Director's Decision*, dated February 21, 2007.

On appeal, the applicant's daughter requested 45 days to submit a brief and/or evidence to the AAO. *Form I-290B*, filed March 19, 2007. The record contains no evidence that a brief or additional evidence was filed within 45 days. 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-212 was denied.

8 C.F.R. § 103.3(a)(1) 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 director's decision. The appeal is therefore summarily dismissed.

**ORDER:** The appeal is summarily dismissed.