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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

713

[Redacted]

FILE: [Redacted] Office: NEW DELHI, INDIA Date: **JUL 16 2008**

IN RE: Applicant: [Redacted]

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:

[Redacted]

**DISCUSSION:** The waiver application was denied by the Field Office Director, New Delhi, India. The matter is now before the Administrative Appeals Office (AAO) on appeal.<sup>1</sup> On May 29, 2008, counsel notified the National Visa Center that the applicant's spouse wished to withdraw the Form I-130, Petition for Alien Relative, she had filed on behalf of the applicant. The Form I-130 was approved by Citizenship and Immigration Services on May 27, 2005.

**ORDER:** The appeal is dismissed based on the applicant's spouse's withdrawal of the immigrant visa petition underlying the waiver application.

  
Robert P. Wiemann, Chief  
Administrative Appeals Office

<sup>1</sup> Although the Form I-290B, Notice of Appeal or Motion, indicates that the applicant is appealing the denials of the Form I-601, Application for Waiver of Grounds of Inadmissibility, and the Form I-212, Application for Permission to Reapply for Admission into the United States After Deportation or Removal, only one filing fee has been submitted. Therefore, only the denial of the Form I-601 is before the AAO on appeal.