

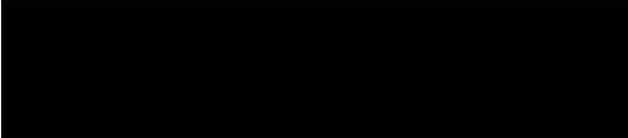
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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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DEC 30 2004

FILE:  Office: DENVER, COLORADO Date:

IN RE: Applicant: 

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

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.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The Form I-212, Application for Permission to Reapply for Admission into the United States after Deportation or Removal, was denied by the Interim District Director, Denver, Colorado, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The applicant is a native and citizen of Mexico who on September 30, 1978, was deported from the United States pursuant to section 241(a)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1251(a)(4), as an alien who after entry has been convicted of two crimes involving moral turpitude. The applicant reentered the United States illegally and on March 3, 1980, self deported himself after an order of deportation was issued. On July 1, 1981, the applicant was granted voluntary departure and returned to Mexico. The record of proceedings reveals that the applicant reentered the United States illegally on July 15, 1981. The applicant is the beneficiary of an approved Petition for Alien Relative filed by his U.S. citizen spouse. He is inadmissible pursuant section 212(a)(9)(A)(ii) of the Act, 8 U.S.C. § 1182(a)(9)(A)(ii) and 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 remain in the United States and reside with his family.

The Interim District Director determined that section 241(a)(5) of the Act, 8 U.S.C. § 1231(a)(5) applies in this matter and the applicant is not eligible and may not apply for any relief and denied the Application for Permission to Reapply for Admission (Form I-212) accordingly. *See Interim District Director's decision* dated February 19, 2004.

On appeal the applicant states that he is ashamed of his criminal record, that at the time he was young and an alcoholic but now he is sincerely asking for another opportunity to live legally in the United States. In addition the applicant states that he would like to demonstrate that he is a different person and he is asking for forgiveness in order to be able to stay in the United States with his children and grandchildren and to be able to travel to Mexico to visit his parents.

The regulation at 8 C.F.R. § 103.3(a)(1) states in pertinent part:

(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....

In the instant case the applicant has failed to identify any erroneous conclusion of law or statement of fact for the appeal and therefore it will be summarily dismissed.

ORDER: The appeal is summarily dismissed.