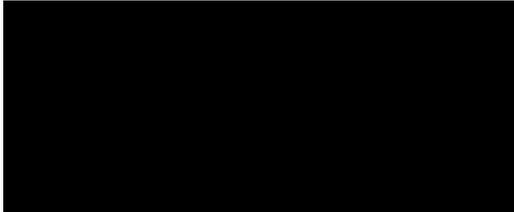


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**U.S. Citizenship  
and Immigration  
Services**

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**H4**

**DEC 30 2004**

FILE:  Office: CALIFORNIA SERVICE CENTER 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 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 applicant is a native and citizen of Mexico who on August 23, 1993, was convicted in the United States District Court, Southern District of California, for the offense of possession of a controlled substance to wit: marijuana, in violation of Title 21 U.S.C. § 844(a) and was sentenced to five months imprisonment. Consequently, on January 26, 1994, the applicant was ordered deported by an Immigration Judge pursuant to section 212(a)(2)(A)(i)(II) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(2)(A)(i)(II). The applicant is inadmissible to the United States because he falls within the purview of sections 212(a)(2)(A)(i)(II) and 212(a)(9)(A)(ii) of the Act, 8 U.S.C. § 1182(a)(2)(A)(i)(II) and 8 U.S.C. § 1182(a)(9)(A)(ii). The applicant 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 travel to the United States and reside with his family.

The Director determined that the applicant is not eligible for any relief or benefit from this application and denied the Application for Permission to Reapply for Admission After Removal (Form I-212) accordingly. *See Director's decision dated June 9, 2004*

On appeal the applicant states: "I believe that the decision made by (USCIS) against me is correct in the part of the applicable law. Although I do believe that at the time of my proceedings when I was charge with two counts, I did not had the economic back-up to hire an attorney to represent me and to prove that it was the age and the circumstances that push me to take a bad decision. Mr. Neufferld as you will see in my files I have became a man of good and God know that I have paid for my error. Please do not let my kids see my wrong any longer. Thank you."

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.