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



H/4

FILE:



Office: CALIFORNIA SERVICE CENTER

Date: **AUG 10 2005**

IN RE:

Applicant:



APPLICATION:

Application for Permission to Reapply for Admission after Removal into the United States after Deportation 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 is summarily dismissed.

The applicant is a native and a citizen of Mexico who entered the United States without a lawful admission or parole in 1977. The record of proceedings reveals that the applicant has a long criminal history and has been convicted of 2 or more offenses and sentenced to imprisonment for more than five years. The record further reflects that the applicant has been deported or removed from the United States on six different occasions. The applicant is therefore inadmissible pursuant to section 212(a)(9)(A)(ii) of the Act, 8 U.S.C. § 1182(a)(9)(A)(ii). He 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 U.S. citizen spouse and children.

The Director found the applicant inadmissible to the United States because he falls within the purview of section 212(a)(2)(B) of the Act, 8 U.S.C. § 1182(a)(2)(B) for having been convicted of two or more offenses for which the aggregate sentences to confinement were 5 years or more. In addition the Director determined that section 241(a)(5) of the Act, 8 U.S.C. 1231(a)(5) applied in this matter. The Director then denied the Application for Permission to Reapply for Admission After Deportation or Removal (Form I-212) accordingly. *See Director's Decision* dated October 20, 2004.

On appeal the applicant does not dispute the fact that he has been in trouble with the law and requests to enter the United States in order to be reunited with his family and assist them with their financial needs.

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.

The AAO notes that the applicant has two additional service files under numbers [REDACTED] and [REDACTED] that should be consolidated with service file [REDACTED]

ORDER: The appeal is summarily dismissed.