



U.S. Citizenship  
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Services

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FILE:



Office: CALIFORNIA SERVICE CENTER

Date: DEC 23 2005

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 into the United States after Deportation or Removal (Form I-212) was denied by the Director, California Service Center 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 April 18, 1999, at the Calexico, California, Port of Entry attempted twice to gain admission into the United States by falsely representing himself to be a citizen of the United States. On the first occasion, the applicant was allowed to withdraw his application for admission and he returned to Mexico. On the same day, the applicant attempted for a second time to gain admission by claiming U.S. citizenship. The applicant was found inadmissible pursuant to section 212(a)(6)(C)(ii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(ii) as an alien who falsely represents himself to be a citizen of the United States for any purpose or benefit under this Act. Consequently, on April 19, 1999 the applicant was expeditiously removed from the United States pursuant to section 235(b)(1) of the Act, 8 U.S.C. § 1225(b)(1). The record of proceedings reveals that the applicant has a long criminal history. The record indicates that the applicant has been convicted of the offenses of battery and burglary. The applicant is inadmissible under section 212(a)(9)(A)(i) of the Act, 8 U.S.C. § 1182(a)(9)(A)(i) 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 travel to the United States to reside with his U.S. citizen son.

The Director determined that the applicant is inadmissible pursuant to section 212(a)(2)(A)(i)(I) of the Act, 8 U.S.C. § 1182(a)(2)(A)(i)(I), for having been convicted of crimes involving moral turpitude, and that he is not eligible for any exception or waiver under section 212(a)(6)(C)(ii) of the Act. The Director denied the Form I-212 accordingly. *See Director's Decision* dated October 29, 2004.

On appeal, the applicant submits a statement in which he states that is very sorry for his past actions. In addition, the applicant states that all his troubles were a result of his immaturity and requests forgiveness. Finally, the applicant states that he wants to live in the United States with his 12 year old son.

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.