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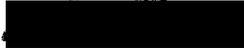
U.S. Citizenship
and Immigration
Services



HU

BANGKOK, THAILAND

FILE:



Office:



Date:

JUL 07 2005

IN RE:



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)

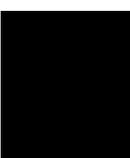
ON BEHALF OF APPLICANT:

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 waiver application was denied by the District Director, Bangkok, Thailand and a subsequent appeal was dismissed by the Administrative Appeals Office (AAO). A motion to reopen was granted and the order dismissing the appeal was affirmed. A motion to reconsider was also granted and the order dismissing the appeal was affirmed. The matter is now before the AAO on another motion to reconsider. The motion will be dismissed and the previous decisions of the District Director and the AAO will be affirmed.

The applicant is a native and citizen of Thailand who was found to be inadmissible to the United States pursuant to section 212(a)(9)(B)(i)(II) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(B)(i)(II), for having been unlawfully present in the United States for more than one year and seeking readmission within 10 years of her last departure from the United States. The applicant's spouse is a U.S. citizen and she is seeking a waiver of inadmissibility in order to reside in the United States.

The district director found that based on the evidence in the record, the applicant had failed to establish extreme hardship to a qualifying relative. The application was denied accordingly. *Decision of the District Director*, dated January 14, 2002.

The applicant has filed a Form I-290B requesting that the AAO reconsider her case. *See Form I-290B*, dated February 28, 2003. Therefore, the AAO will consider this filing as a motion to reconsider. Included is a statement from her husband which explains the hardship he is enduring.

8 C.F.R. § 103.5(a) provides, in pertinent part:

(3) Requirements for motion to reconsider-

A motion to reconsider must state the reasons for reconsideration and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or Service policy.

(4) Processing motions in proceedings before the Service-

A motion that does not meet applicable requirements shall be dismissed.

The applicant has not supported her motion for reconsideration with relevant precedent decisions nor has she stated that the decision was based on an incorrect application of law. Because the applicant has failed to identify any erroneous conclusion of law in her motion, the motion will be dismissed.

ORDER: The motion is dismissed and the previous decisions of the District Director and the AAO will be affirmed