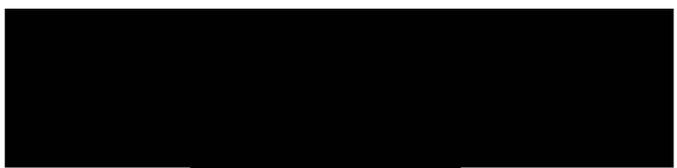




U.S. Citizenship
and Immigration
Services

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FILE:

Office: CALIFORNIA SERVICE CENTER

Date: JUN 05 2006

IN RE:



PETITION: 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 PETITIONER: 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, Chief
Administrative Appeals Office

DISCUSSION: The Director, California Service Center, denied the Application for Permission to Reapply for Admission into the United States after Deportation or Removal (Form I-212) and it is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that, on January 22, 2005, the director found that the applicant was inadmissible to the United States pursuant to section 212(a)(9)(A)(ii) of the Act, 8 U.S.C. § 1182(a)(9)(A)(ii), as an alien who seeks admission to the United States after having been order removed. The director determined that the applicant was an alien who required permission to reapply for admission into the United States. The director determined that the applicant was ineligible for permission to reapply for admission and denied the Form I-212 accordingly. *See Director's Decision*, dated January 22, 2005.

8 C.F.R. § 103.3(a)(v) 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.

The record reflects that, on February 25, 2005, the applicant file a Notice of Appeal to the Administrative Appeals Office (Form I-290B). The Form I-290B fails to identify any basis for the applicant's appeal. The Form I-290B indicated that applicant would submit a separate brief or evidence on appeal within 30 days. However, CIS never received a separate brief or evidence to support the appeal. As such, the applicant failed to identify either on the Form I-290B or through submission of a brief or evidence any erroneous conclusion of law or statement of fact made by the director. The applicant's notice of appeal will therefore be dismissed pursuant to 8 C.F.R. § 103.3(a)(v).

ORDER: The appeal is dismissed and the director's decision is affirmed.