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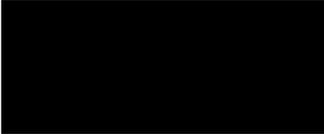
U.S. Department of Homeland Security
20 Mass, Rm. 3000
Washington, DC 20529



U.S. Citizenship
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FILE:



Office: VERMONT SERVICE CENTER

Date: DEC 27 2007

IN RE:



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, Chief
Administrative Appeals Office

DISCUSSION: The Acting Director, Vermont Service Center, denied the application for permission to reapply for admission and it is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that, on March 6, 2006, the acting director found that the applicant was inadmissible pursuant to section 212(a)(9)(C) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(C), for entering the United States without being admitted after having been removed. The director determined that the applicant was statutorily ineligible for a waiver pursuant to section 212(a)(9)(C)(iii) of the Act, 8 U.S.C. § 1182(a)(9)(C)(iii) because it had been less than ten years since the applicant's last departure from the United States. The acting director denied the Application for Permission to Reapply for Admission into the United States after Deportation or Removal (Form I-212) accordingly. *Decision of the Acting Director*, dated March 6, 2006.

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 March 24, 2006, the applicant filed a Notice of Appeal to the Administrative Appeals Office (Form I-290B). On appeal, the applicant attaches a letter to the Form I-290B and simply asserts, "unless evidence is at the Service, applicant seeks a waiver under section 212. According to the I-296, applicant was found inadmissible under section 235(b)(1) or 240 of the Act." The applicant proceeds to quote the regulations in regard to removal under section 235(b)(1)(A)(i) of the Act and alien's rights in proceedings under section 240(b)(4) of the Act. He concludes "From this evidence, it is hard to agree or argue. Not enough evidence available." The acting director's decision clearly stated that the applicant had reentered the United States without admission after having been previously removed from the United States and the applicant submitted with the Form I-212 documentation reflecting his prior removal order and information indicating that he had reentered the United States since that removal.

The applicant fails 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 acting director. The applicant's appeal will therefore be summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(v).

ORDER: The appeal is dismissed.