



U.S. Citizenship  
and Immigration  
Services

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FILE:

Office: LIMA, PERU

Date: MAR 05 2007

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The nonimmigrant visa petition was denied by the Officer in Charge, Lima, Peru, and is now on appeal before the Administrative Appeals Office (AAO). The appeal will be rejected.

The record indicates that the Officer in Charge issued the decision on March 3, 2005. It is noted that the Officer in Charge properly gave notice to the petitioner that he had 33 days to file the appeal and that the appeal was to be sent directly to the U.S. Embassy in Lima, Peru.

As the Officer in Charge in Lima, Peru made the decision, the appeal should have been filed in Lima, Peru. The petitioner initially incorrectly filed the appeal directly with the Administrative Appeals Office in Washington, DC on March 21, 2005. Citizenship and Immigration Services (CIS) in Newark, New Jersey subsequently received the appeal on March 29, 2005. The CIS office in Newark, New Jersey did not have jurisdiction over the case and accepted the appeal in error. Thus, the appeal will be rejected.

As the appeal was incorrectly filed, the appeal must be rejected.

**ORDER:** The appeal is rejected.