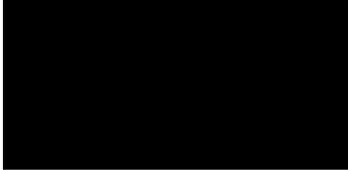




U.S. Citizenship
and Immigration
Services

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invasion of personal privacy



H4

FILE:



Office: VERMONT SERVICE CENTER

Date: MAR 08 2007

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:



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 Application for Permission to Reapply for Admission into the United States after Deportation or Removal (Form I-212) was denied by the Acting Director, Vermont 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 Ghana who, on March 26, 1993, at the J.F.K. International Airport applied for admission into the United States. The applicant presented a United Kingdom passport that did not belong to her. She was found inadmissible pursuant to section 212(a)(6)(C)(i) of the Act, 8 U.S.C. § 1182 (a)(6)(C)(i), for having attempted to procure admission into the United States by fraud, section 212(a)(7)(A)(i)(I) of the Act, 8 U.S.C. § 1182 (a)(7)(A)(i)(I), for being an immigrant not in possession of a valid immigrant visa, section 212(a)(7)(B)(i)(I) of the Act, 8 U.S.C. § 1182 (a)(7)(B)(i)(I), for being a nonimmigrant not in possession of a valid passport, and section 212(a)(7)(B)(i)(II) of the Act, 8 U.S.C. § 1182(a)(7)(B)(i)(II), for being a nonimmigrant not in possession of a valid nonimmigrant visa or border crossing identification card at the time of application for admission. The applicant was placed in exclusion proceedings. The record reflects that the applicant departed the United States in April 1993. On July 30, 1993, the applicant failed to appear for the exclusion hearing and she was subsequently ordered excluded and deported, *in absentia*, by an immigration judge. The record further reflects that the applicant reentered the United States in April 1995. On September 30, 1996, the applicant adjusted her status to that of a lawful permanent resident. The applicant departed the United States on an unknown date and on February 12, 2003, she applied for admission as a returning permanent resident. The applicant was ordered to appear for deferred inspection because of questions regarding her admissibility. On July 17, 2003, a Notice to Appear (NTA) for a removal hearing before an immigration judge was served on her. On October 20, 2003, an immigration judge ordered the applicant removed from the United States pursuant to sections 212(a)(6)(C)(i) and 212(a)(9)(A)(ii) of the Act. On December 11, 2003, the applicant was removed from the United States. The applicant is inadmissible pursuant to section 212(a)(9)(A)(ii) of the Act, 8 U.S.C. § 1182(a)(9)(A)(ii). She now 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 and reside in the United States.

The Acting Director determined that the applicant did not provide documentation she had requested and that the unfavorable factors in the applicant's case outweighed the favorable factors. The Acting Director then denied the Form I-212 accordingly. See Acting *Director's Decision* dated January 25, 2006.

On the Notice of Appeal to the AAO (Form I-290B) the applicant's representative writes:

"The requested documents were submitted to the service on December 9, 2003, however, with a request for additional time to provide additional documents needed to support the entire request.

We are to compile a final package within 30 days and submit them to the service as the final pieces have yet to be mailed by the applicant."

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.