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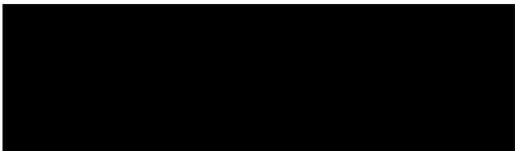
U.S. Department of Homeland Security
20 Massachusetts Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
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Services

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FILE:

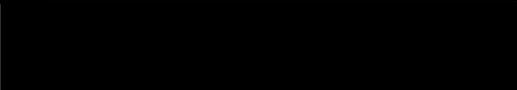
Office: SAN FRANCISCO, CA

Date:

SEP 06 2007

IN RE:

Applicant:



PETITION: Application for Permission to Reapply for Admission into the United States After
Deportation or Removal under section 212(a)(9)(C)(ii), 8 U.S.C. §§ 1182(a)(9)(C)(ii)

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 District Director, San Francisco, California denied the Form I-212, Application for Permission to Reapply for Admission into the United States After Deportation or Removal, and the matter is now before the Administrative Appeals Office (AAO). The appeal will be summarily dismissed.

The applicant is a native and citizen of Mexico who was found to be inadmissible to the United States under section 212(a)(9)(C)(i)(I) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(C)(i)(I), as an alien unlawfully present for an aggregate period of more than one year who enters or attempts to enter the United States without being admitted. The district director determined that ten years had not elapsed since the applicant's last departure from the United States as required by section 212(a)(9)(C)(ii) of the Act. He denied the application accordingly. *District Director's Decision*, dated February 3, 2006.

The applicant submitted a timely Form I-290B, Notice of Appeal to the Administrative Appeals Office, stating only that he was attaching documentation to support the appeal. The AAO's review of the record does not find the evidence referenced by the applicant on the Form I-290B.

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. 8 C.F.R. §103.3(a)(1)(v). The appeal in the present case does not specify how the director made an erroneous conclusion of law or statement of fact in denying the application. As the applicant has presented no additional evidence to overcome the decision of the director, the appeal will be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

Pursuant to section 291 of the Act, 8 U.S.C. 1361, the burden of proof is upon the applicant to establish that he is eligible for adjustment of status. The applicant has failed to meet that burden.

ORDER: The appeal is dismissed.