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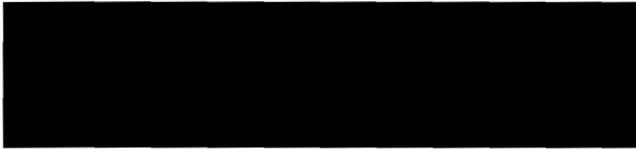
U.S. Department of Homeland Security
20 Massachusetts Avenue NW, Rm. 3000
Washington, DC 20529



U.S. Citizenship
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Services

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HL



FILE:



Office: SAN FRANCISCO (SAN JOSE CA) Date:

APR 08 2008

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) of the Immigration and Nationality Act, 8 U.S.C. § 1182(a)(9)(A)

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 after removal was denied by the District Director, San Francisco, California, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as moot.

The record reflects that the applicant is a native and citizen of Mexico who married [REDACTED] a lawful permanent resident of the United States, on February 1, 1996, in Mexico. On July 3, 1997, the applicant's husband filed a Petition for Alien Relative (Form I-130) on behalf of the applicant. On September 3, 1997, the applicant's Form I-130 was approved. On February 11, 1998, the applicant initially attempted to enter the United States by presenting a Form I-585 in someone else's name. On February 12, 1998, the applicant was expeditiously removed from the United States. In March 1998, the applicant reentered the United States by presenting entry documents in someone else's name. On May 26, 1998, the applicant's daughter, [REDACTED], was born in California. Sometime in 1999, the applicant departed the United States. On July 16, 2002, the applicant reentered the United States on a V-1 nonimmigrant visa with authorization to remain in the United States until July 15, 2003. On November 6, 2004, the applicant's daughter, [REDACTED], was born in California. On January 12, 2005, the applicant filed an Application to Register Permanent Resident or Adjust Status (Form I-485). On April 28, 2006, the applicant's Form I-485 was denied. On May 25, 2006, the applicant, through counsel, filed a motion to reconsider the District Director's denial of the applicant's Form I-485. On May 30, 2006, the applicant filed an Application for Waiver of Grounds of Excludability (Form I-601) and an Application for Permission to Reapply for Admission After Deportation or Removal (Form I-212). On July 28, 2006, the District Director denied the applicant's Form I-212 and dismissed the applicant's motion to reconsider. However, on the same day, the District Director approved the applicant's Form I-601. On August 28, 2006, the applicant filed an appeal of the District Director's decision on the Form I-212. On April 18, 2007, the applicant's Form I-485 was reopened. At some point, the applicant's Form I-212 was reopened. On July 10, 2007, the District Director approved the applicant's Form I-485 and Form I-212.

The record establishes that on July 28, 2006, the applicant's Form I-601 was approved, and on July 10, 2007, the applicant's Form I-212 and Form I-485 were approved. Therefore, the appeal is unnecessary and will be dismissed.

ORDER: The appeal is dismissed as moot as the District Director has approved the applicant's Application for Waiver of Grounds of Excludability (Form I-601), her Application for Permission to Reapply for Admission After Deportation or Removal (Form I-212), and her Application to Register Permanent Resident or Adjust Status (Form I-485).