

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

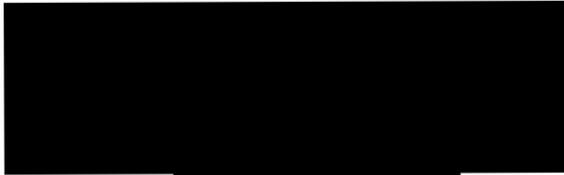
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000,
Washington, DC 20529



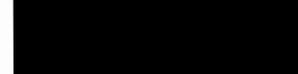
U.S. Citizenship
and Immigration
Services

PUBLIC COPY

H4



FILE:



Office: ST. PAUL, MN

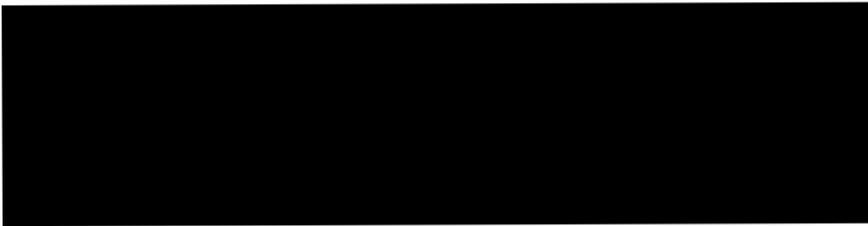
Date: **JUN 17 2008**

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:



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 Field Office Director, St. Paul, Minnesota, denied the waiver application and it is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that, on February 12, 2007, the Field Office Director found that the applicant was inadmissible to the United States pursuant to section 212(a)(6)(C)(ii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(ii), for making a false claim to U.S. citizenship, for which there is no waiver available. The field office 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 Field Office Director*, dated February 12, 2007.

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 19, 2007, a Notice of Appeal to the Administrative Appeals Office (Form I-290B) was filed on behalf of the applicant. The Form I-290B does not state the basis of the appeal but indicates that a separate brief and/or evidence will be submitted within 30 days. On May 23, 2008, the AAO contacted counsel regarding the brief and/or evidence referenced on the Form I-290B. Counsel responded on June 5, 2008, stating that no brief or evidence had been submitted. Therefore, the record is considered to be complete.

As the applicant has failed 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 field office director, the appeal will be dismissed pursuant to 8 C.F.R. § 103.3(a)(v).

ORDER: The appeal is dismissed.