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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529

U.S. Citizenship and Immigration Services

H2

[redacted]

FILE: HCM1999 779 025 Office: HO CHI MINH CITY, VIETNAM Date: JAN 12 2005

IN RE: Applicant: [redacted]

APPLICATION: Application for Waiver of Grounds of Inadmissibility under § 212(h) of the Immigration and Nationality Act, 8 U.S.C. § 1182(h)

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, Director
Administrative Appeals Office

DISCUSSION: The Application for a Waiver of Inadmissibility was denied by the Officer in Charge, Ho Chi Minh City, Vietnam, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The record reflects that on November 21, 2003, the officer in charge found that the applicant was inadmissible to the U.S. pursuant to § 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act ("the Act"), 8 U.S.C. § 1182(a)(2)(A)(i)(I), as an alien who has been convicted of a crime involving moral turpitude (running an unauthorized lottery). The officer in charge also noted that the applicant failed to indicate that she had been arrested and convicted for this gambling crime on her immigrant visa application, and she was therefore also inadmissible under § 212(a)(6)(C)(i) of the Act, 8 U.S.C. § 1182(a)(6)(C)(i). The officer in charge determined that the applicant had failed to establish that her qualifying relative would undergo extreme hardship due to the applicant's inadmissibility, and he consequently denied the waiver application.

On January 13, 2004 the applicant submitted a Form I-290B Notice of Appeal on which she indicated that she would submit additional documentation to the AAO within 30 days. As of this date, however, the AAO has not received any additional evidence, thus, the record is complete.

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 the applicant has submitted no new evidence or information on appeal, and she has not pointed out any erroneous conclusions of law or statements of fact on the part of the officer in charge. The applicant's notice of appeal will therefore be dismissed pursuant to 8 C.F.R. § 103.3(a)(v).

ORDER: The appeal is dismissed and the officer in charge decision is affirmed.