U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

H2

[redacted]

JAN 3 1 2005

FILE: [redacted] Office: INDIANAPOLIS, INDIANA Date:

IN RE: Applicant: [redacted]

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

ON BEHALF OF APPLICANT:

[redacted]

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 Interim District Director, Indianapolis, Indiana and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that on November 14, 2003, the interim district director found that the applicant was inadmissible to the U.S. pursuant to § 212(a)(6)(C)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i), for having procured admission into the United States by fraud or willful misrepresentation. The applicant's waiver application pursuant to § 212(i) of the Act, 8 U.S.C. § 1182(i) was denied, as the interim district director determined that the applicant failed to establish extreme hardship to her spouse.

On December 14, 2003, counsel submitted a timely Form I-290B Notice of Appeal on which he indicated that a brief or other evidence would be submitted to the AAO within 60 days. As of this date, however, no other evidence has been received; 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.

On the Form I-290B, counsel fails to identify specific erroneous conclusions of law or fact. As neither counsel nor the applicant has submitted additional evidence or information on appeal, the applicant's notice of appeal will 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.