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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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FILE:  Office: NEWARK, NJ

Date: SEP 01 2009

IN RE: 

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

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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).

John F. Grissom
Acting Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the District Director, Newark, New Jersey. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The record reflects that the applicant is a native and citizen of Ecuador who was found to be inadmissible to the United States pursuant to section 212(a)(6)(C)(i) of the Act, 8 U.S.C. § 1182(a)(6)(C)(i), for having entered the United States using a fraudulent passport. The applicant seeks a waiver of inadmissibility pursuant to section 212(i) of the Act, 8 U.S.C. § 212(i), in order to reside with his wife and his parents in the United States.

The district director found that the applicant failed to establish extreme hardship to his U.S. citizen spouse and lawful permanent resident parents. The district director denied the application accordingly. *Decision of the District Director*, dated March 2, 2007.

On the applicant's Notice of Appeals to the Administrative Appeals Office (AAO) (Form I-290B), counsel makes no argument, but rather, states that, "[t]he CIS was incorrect in denying this I-601 waiver. We rest on the evidence submitted to USCIS." In counsel's cover letter, counsel states, "[w]e believe that this Form I-601 waiver is stronger than most and is worthy of approval. The CIS adjudicator was incorrect in finding that the family members would not suffer extreme hardship." *Letter from [REDACTED]*, dated March 23, 2007.

The regulation at 8 C.F.R. § 103.3(a)(v) states in pertinent part that:

(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 AAO finds that the applicant's appeal fails to identify with any specificity any erroneous conclusion of law or statement of fact in the district director's decision. The AAO notes that the district director's decision thoroughly listed twelve pieces of supporting evidence which it considered in evaluating hardship. In addition, the district director's decision evaluated hardship to all qualifying relatives – the applicant's spouse, his lawful permanent resident mother, and his lawful permanent resident father. Because counsel fails to specify any error, the appeal is therefore summarily dismissed.

ORDER: The appeal is summarily dismissed.