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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**

H2

FILE:

Office: MIAMI, FL

Date:

APR 02 2010

IN RE:

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

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.

A handwritten signature in cursive script, appearing to read "Perry R. Hew".

Perry R. Hew
Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the District Director, Miami, Florida. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as the waiver application is moot.

The record reflects that the applicant is a native and citizen of Haiti who was found to be inadmissible to the United States pursuant to section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(2)(A)(i)(I), for having been convicted of a crime involving moral turpitude. The applicant's spouse is a U.S. citizen and he seeks a waiver of inadmissibility in order to reside with his spouse in the United States.

The district director did not address the issue of extreme hardship, but denied the Application for Waiver of Grounds of Inadmissibility (Form I-601) as a matter of discretion. *District Director's Decision*, at 4, dated February 5, 2008.

United States Citizenship and Immigration Services (USCIS) records show that, subsequent to filing the instant application, the applicant was admitted to the United States as an immigrant on October 3, 2007. As the applicant is now a lawful permanent resident, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed as the waiver application is moot.