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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
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FEB 25 2010

FILE: 

Office: MEXICO CITY (CIUDAD JUAREZ)

Date:

IN RE: 

APPLICATION: Application for Waiver of Grounds of Inadmissibility under Sections 212(a)(9)(B)(v) and 212(i) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1182(a)(9)(B)(v) and 8 U.S.C. § 1182(i)

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.

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).

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The District Director, Mexico City, denied the instant waiver application. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The record shows that the applicant is a native and citizen of Mexico. The district director found that the applicant had been unlawfully present in the United States for more than one year and, in addition, had sought to procure an immigration benefit by fraud or by willful misrepresentation of a material fact, and is therefore inadmissible pursuant to sections 212(a)(9)(B)(i) and 212(a)(6)(C)(i) of the Immigration and Nationality Act (INA, the Act), 8 U.S.C. § 1182(1)(9)(B)(i) and 8 U.S.C. § 1182(a)(6)(C)(i).

The applicant seeks a waiver of inadmissibility pursuant to sections 212(a)(9)(B)(v) and 212(i) of the Act in order to reside in the United States with her husband and daughter. The district director also found that the applicant had failed to establish extreme hardship to her U.S. citizen spouse and denied the waiver application.

The applicant's husband submitted a Form I-290B appeal in this matter. In the section reserved for the reason for filing the appeal, the applicant's husband inserted, "My wife [REDACTED] travel from the United States to Mexico to visit her ill mother. Her mother unexpectedly became very sick." On the form appeal the applicant's husband indicated that he was not submitting a brief or additional evidence, and no brief or evidence was received with that appeal form or subsequently.

The applicant's husband's statement on appeal contains no assignment of error. The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part: "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 applicant has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal and the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed.