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



U.S. Citizenship
and Immigration
Services

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FILE:

Office: NEW YORK

Date:

JAN 26 2011

IN RE:

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

ON BEHALF OF APPLICANT:

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

Thank you,

for Perry Rhew
Chief, Administrative Appeals Office

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

The record reflects that the applicant is a native and citizen of Azerbaijan who was found to be inadmissible to the United States pursuant to section 212(a)(2)(A)(i)(II) of the Act, 8 U.S.C. § 1182(a)(2)(A)(i)(II), for a controlled substance violation. The applicant is married to a U.S. citizen and seeks a waiver of inadmissibility pursuant to section 212(h) of the Act, 8 U.S.C. § 1182(h), in order to reside with his wife in the United States.

The district director found that the applicant failed to establish extreme hardship to a qualifying relative and denied the application accordingly. *Decision of the District Director*, dated August 2, 2007.

United States Citizenship and Immigration Services (USCIS) records show that, subsequent to filing the instant application, the applicant filed another waiver application, which was approved. The applicant's status was adjusted to lawful permanent resident on August 12, 2010. Because the applicant's inadmissibility was waived and he is now a lawful permanent resident, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed.