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



U.S. Citizenship
and Immigration
Services



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Date:

JUL 13 2012

Office: ATHENS, GREECE

FILE:



IN RE:

Applicant:



APPLICATION:

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

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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.

If you believe the AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you.

Perry Rhew

Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the Officer-in-Charge, Athens, Greece, and a subsequent appeal was dismissed by the Administrative Appeals Office (AAO). The AAO's decision is now before the AAO on appeal. The appeal will be rejected.

The applicant is a citizen of Syria who was found to be inadmissible pursuant to section 212(a)(6)(C)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i), for attempting to procure entry into the United States through fraud or misrepresentation. The applicant attempted to enter the United States on June 24, 2001 using a false I-551 lawful-permanent resident stamp in his passport. On June 9, 2008 the Officer-in-Charge denied the applicant's Form I-601 waiver application, finding the applicant had failed to establish that extreme hardship would be imposed on a qualifying relative and denied the waiver application accordingly. *Decision of Officer-in-Charge*, June 9, 2008. The AAO dismissed the subsequent appeal, finding that the applicant was inadmissible under section 212(a)(6)(C) of the Act, and that he failed to establish that extreme hardship would be imposed on a qualifying relative, as required for a waiver under section 212(i) of the Act. *Decision of the AAO*, April 28, 2011.

On page 1 of the Form I-290B Notice of Appeal or Motion filed in response to the AAO dismissal, the applicant checked the box which indicates, "I am filing an appeal. My brief and/or additional evidence is attached." *Form I-290B*, signed May 22, 2011. As explained on the cover sheet for the AAO decision of April 28, 2011, an applicant who believes the AAO incorrectly applied the law or who wishes to submit additional information may file a motion to reconsider or a motion to reopen. 8 C.F.R. § 103.5(a)(1)(ii) There is nothing in the regulations allowing for an administrative appeal of an AAO decision.

Consequently, although an applicant may file a motion to reopen or a motion to reconsider an AAO decision pursuant to 8 C.F.R. §103.5, there is no appeal of that decision. Accordingly, the appeal must be rejected.

ORDER: The appeal is rejected.