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

identifying data deleted to prevent clearly unwarranted invasion of personal privacy

PUBLIC COPY

U.S. Citizenship and Immigration Services

[redacted]

H2
H6

FILE: [redacted] Office: MEXICO CITY (CIUDAD JUAREZ) Date: JUN 21 2010

(CDJ 2006 757 240)

IN RE: [redacted]

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

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.

Ellen C. Johnson

Perry Rhew
Chief, Administrative Appeals Office

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

The applicant is a native and citizen of Mexico who resided in the United States from July 2001, when he entered without inspection, to November 2006, when he returned to Mexico. He was found to be inadmissible to the United States under section 212(a)(9)(B)(i)(II) of the Act, 8 U.S.C. § 1182(a)(9)(B)(i)(II), for having been unlawfully present in the United States for one year or more. The applicant is married to a U.S. Citizen and is the beneficiary of an approved Petition for Alien Fiancé(e). He seeks a waiver of inadmissibility pursuant to section 212(a)(9)(B)(v) of the Act, 8 U.S.C. § 1182(a)(9)(B)(v), in order to return to the United States and reside with his wife.

The district director concluded that the applicant failed to establish that extreme hardship would be imposed on a qualifying relative and denied the application accordingly. *See Decision of the District Director* dated January 23, 2008.

On appeal, the applicant's wife asserts that U.S. Citizenship and Immigration Services (USCIS) committed error in denying the waiver application and further claims that she submitted evidence in support of the application, though USCIS states that no evidence had been submitted. *See Notice of Appeal to the AAO (Form I-290B).* She further states that she had shown she would suffer exceptional and extremely unusual hardship and reserved the right to raise additional arguments in a brief to be submitted within 30 days. Although the applicant requested 30 days in order to submit a brief and/or additional evidence, as of this date, over two years later, no additional statement or evidence has been submitted. The record is considered complete.

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 March 3, 2009. Because the applicant is now a lawful permanent resident, further pursuit of the matter at hand is moot.

ORDER: The appeal is dismissed.