

**Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

U.S. Department of Homeland Security
20 Mass. Avenue, N.W. Rm. A3042
Washington, DC 20529



**U.S. Citizenship
and Immigration
Services**

PUBLIC COPY



H 2

FILE: [REDACTED] Office: LOS ANGELES DISTRICT OFFICE

Date: **JAN 28 2005**

IN RE: [REDACTED]

APPLICATION: Application for Waiver of Grounds of Inadmissibility under Section 212(h) of the
Immigration and Nationality Act (INA), 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 "Robert P. Wiemann".

Robert P. Wiemann, Director
Administrative Appeals Office

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

The record reflects that the applicant is a native and citizen of Mexico who was found inadmissible to the United States pursuant to section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act (INA, the Act), 8 U.S.C. § 1182(a)(6)(C)(i) for having been convicted of a crime involving moral turpitude. The record reflects that the applicant is the spouse of a U.S. citizen and father of two U.S. citizen children and one U.S. citizen stepdaughter.

The district director found that the applicant failed to establish that refusal to admit the applicant would result in extreme hardship to his U.S. citizen spouse or children. The application was denied accordingly. On appeal, counsel states only, "[e]xtreme hardship has been established." The AAO notes that, although counsel indicated that a more detailed brief would be submitted within 30 days of filing the appeal, as of this date, the record does not contain the brief. Therefore, the record is considered complete, and the AAO shall render a decision based upon the evidence before it at the present time.

8 C.F.R. § 103.3(a)(v) states, in pertinent part:

(v) Summary dismissal. 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.

Counsel failed to identify any errors of fact or law in the decision below for review on appeal. The applicant's notice of appeal will therefore be dismissed pursuant to 8 C.F.R. § 103.3(a)(v).

ORDER: The appeal is dismissed.