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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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[REDACTED]

FILE: [REDACTED] Office: ATLANTA, GA Date: JUL 23 2007

IN RE: [REDACTED]

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

ON BEHALF OF APPLICANT:
[REDACTED]

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.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The waiver application was denied by the District Director, Atlanta, Georgia and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The applicant is a native and citizen of Nigeria who was found to be inadmissible to the United States under section 212(a)(6)(C)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i), as an alien who by fraud or willfully misrepresenting a material fact, seeks to procure (or has sought to procure or has procured) a visa, other documentation or admission into the United States or other benefit provided under the Act. On January 14, 2005, the applicant filed the Form I-602, Application by Refugee for Waiver of Grounds of Excludability, which was denied by the district director on June 16, 2005. *Decision of the District Director*, dated June 16, 2005. The applicant, through counsel, submitted the Form I-290B, Notice of Appeal to the Administrative Appeals Office on July 25, 2005.

Although the AAO notes that the district director's decision informed the applicant that he could appeal the denial of the waiver application, there is no appeal from a denial of a Form I-602. The Form I-602 may, however, be considered by the immigration judge if the Form I-485, Application to Register Permanent Residence or Adjust Status, is renewed during removal proceedings pursuant to the regulation at 8 C.F.R. § 209.2(f). *See Adjudicator's Field Manual*, Chapter 41.6(b)(2)(B).

As there is no appeal from a denial of a Form I-602, the present appeal will be rejected.

ORDER: The appeal is rejected.