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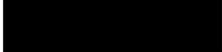
U.S. Citizenship
and Immigration
Services

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HL

FILE:



Office: PHOENIX, AZ

Date:

MAR 05 2007

IN RE:



APPLICATION: Application for Waiver of Ground of Inadmissibility

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application was denied by the District Director, Phoenix, Arizona and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that the District Director found the Form I-601, Application for Waiver of Ground of Excludability, to be improperly filed, as there is no Form I-485, Application to Register Permanent Residence or Adjust Status pending with Citizenship and Immigration Services (CIS). *Decision of the District Director*, dated May 4, 2005.

The applicant stated that a few years ago, she was entering the United States through the Nogales, Arizona port of entry when her Laser Visa card was confiscated. *Form I-290B*. The applicant was informed that she had to file a waiver. *Id.* She notes that she has never filed a Form I-485. *Id.*

The District Director was correct in finding that the Form I-601 was improperly filed, as there was no underlying Form I-485 to support the waiver that had been submitted. Accordingly, the appeal is dismissed.

As the applicant appears to be outside of the United States, she needs to apply for admission to the United States, rather than adjustment of status. She may apply for admission at a United States consular office in Mexico. The consular office will notify her of what paperwork, including an I-601, she may need to file.

ORDER: The appeal is dismissed.