



U.S. Citizenship  
and Immigration  
Services

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[REDACTED]

FILE:

Office: PHOENIX, ARIZONA

Date: MAR 27 2007

IN RE:

Applicant:

[REDACTED]

APPLICATION: Application for Waiver of Grounds of Inadmissibility under § 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 Application for a Waiver of Inadmissibility 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 district director found that the applicant was inadmissible to the U.S. pursuant to § 212(a)(6)(C)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i) for having presented a false U.S. birth certificate in order to gain admission to the United States. The district director denied the applicant's waiver of inadmissibility under § 212(i) of the Act, 8 U.S.C. § 1182(i), finding that the applicant had failed to establish extreme hardship to her parents. Counsel submitted a timely Form I-290B on June 20, 2005, which stated only that the I-601 was improperly denied and that the applicant showed the requisite elements of hardship. Counsel further indicated that a brief and/or additional evidence would be submitted to the AAO within 30 days. On February 22, 2007 the AAO sent counsel a facsimile requesting a copy of the brief or other evidence. As of this date, the AAO has not received a response or any additional evidence into the record. Therefore, the record is complete.

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. 8 C.F.R. § 103.3(a)(1)(v). On the Form I-290B, counsel fails to specify how the director made any erroneous conclusion of law or statement of fact in denying the petition. As neither the applicant nor counsel presents additional evidence on appeal to overcome the decision of the director, the appeal will be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

The burden of proof in this proceeding rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361. The applicant has not sustained that burden.

**ORDER:** The appeal is dismissed.