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U.S. Department of Homeland Security
20 Massachusetts Ave. N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship and Immigration Services

PUBLIC COPY

[Redacted]

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FILE: [Redacted] Office: CHICAGO, ILLINOIS

Date: JAN 04 2008

IN RE: Applicant: [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, Chicago, Illinois, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The applicant was found inadmissible under section 212(a)(6)(C) of the Act for having presented a document not belonging to him in order to gain admission to the United States. The district director denied the waiver application finding that the applicant had not established extreme hardship to a qualifying relative.

The applicant filed a timely Form I-290B on April 14, 2005, and indicated that a brief and/or evidence would be submitted to the AAO within 30 days. The AAO sent a fax to the applicant's prior counsel on November 6, 2007, which requested a copy of the brief and/or evidence. Prior counsel's response stated that he did not file a brief or evidence in support of the appeal, as indicated on Form I-290B. On November 21, 2007 the AAO received correspondence relating to this case from a new attorney requesting additional time in which to file a brief. The AAO was not informed that prior counsel was no longer representing the applicant until receipt of that letter. The fax for brief was not an invitation to provide new information; it was to request what should have been submitted 30 days after submission of the Form I-290B.

On the Form I-290B, the applicant states that the waiver should have been granted as the refusal of admission constitutes an extreme hardship to his spouse.

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). Neither the applicant nor counsel presented 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).

ORDER: The appeal is summarily dismissed.