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

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FILE:



Office: ATHENS, GREECE

Date: MAR 27 2008

IN RE:



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

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.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The waiver application was denied by the Officer in Charge, Athens, Greece. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as the waiver application is moot.

The applicant is a Palestinian native of Syria who was found to be inadmissible to the United States under section 212(a)(2)(A)(i)(II) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(2)(A)(i)(II), for having been convicted of a crime involving a controlled substance. The waiver application was denied by the Officer in Charge, Athens, Greece. The matter is now before the Administrative Appeals Office (AAO) on appeal.

On February 25, 2008 the applicant's former United States citizen spouse submitted a letter to the AAO requesting that the applicant's appeal be withdrawn, as she divorced the applicant on December 14, 2007. While the applicant's former spouse does not have the authority to withdraw the applicant's appeal, the AAO notes that the applicant is no longer married to a United States citizen spouse and is thus no longer eligible to apply for an immigrant visa based on that relationship. Therefore, the waiver application is moot as there is no underlying petition.

**ORDER:** The appeal is dismissed.