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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
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FILE:

Office: PHILADELPHIA, PA

Date: MAY 05 2009

IN RE:

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

ON BEHALF OF APPLICANT:

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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).

John F. Grissom
Acting Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the District Director, Philadelphia, Pennsylvania. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that the applicant is a native and citizen of Jamaica who was found to be inadmissible to the United States pursuant to section 212(a)(6)(C)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i), for entering the United States by fraud or willful misrepresentation. The applicant is married to a U.S. citizen and seeks a waiver of inadmissibility pursuant to section 212(i) of the Act, 8 U.S.C. § 1182(i), in order to reside with his wife and stepchildren in the United States.

The district director found that the applicant failed to establish the existence of a qualifying relative who would suffer extreme hardship and denied the waiver application accordingly. *Decision of the District Director*, dated February 17, 2007.

On appeal, counsel states that the district director failed to consider all of the evidence of hardship, such as the emotional, financial, and physical hardship to the U.S. citizen spouse. *Form I-290B*, dated May 10, 2006. No documents were submitted with the appeal. Although counsel indicated that a brief and/or other evidence would be filed within 60 days, no brief or other evidence has been received by the AAO.

The district director's decision concludes that the applicant failed to establish that he has a qualifying relative who would suffer extreme hardship if he were refused admission to the United States. *Decision of the District Director, supra*. The AAO notes that the applicant's Immigrant Petition for Alien Relative (Form I-130) was denied on April 30, 2008. The appeal does not specifically dispute or otherwise address the grounds upon which the application was denied.

8 C.F.R. § 103.3(a)(v) states in pertinent part that:

(v) Summary dismissal. 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.

The AAO finds that the applicant's appeal fails to specifically identify any erroneous conclusion of law or statement of fact in the district director's decision. The appeal is therefore summarily dismissed.

ORDER: The appeal is summarily dismissed.