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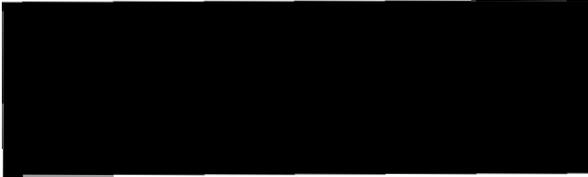
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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FILE:



Office: MEXICO CITY, MEXICO
(CIUDAD JUAREZ)

Date:

NOV 10 2009

IN RE:



APPLICATION:

Application for Waiver of Grounds of Inadmissibility under Section 212(i) of the Immigration and Nationality Act, 8 U.S.C. § 1182(i) and Section 212(a)(9)(B) of the Immigration and Nationality Act, 8 U.S.C. § 1182(a)(9)(B)

ON BEHALF OF APPLICANT:



On July 30, 2007 the Field Office Director, Ciudad Juarez, Mexico, forwarded to the Administrative Appeals Office (AAO) a motion to reopen or reconsider the denial of your Form I-601 waiver of inadmissibility. He stated that he was denying your motion, and pursuant to the regulation at 8 C.F.R. § 103.3(a)(2)(iv), your motion was being forwarded to the AAO as an appeal. Unfortunately, the regulation cited by the field office director relates to forwarding appeals to the AAO. There is no authority in the regulations for a motion to be treated as an appeal under any circumstances. The AAO has no jurisdiction over your waiver application and will therefore return the matter to the originating office for any further action.

Perry Rhew,
Chief, Administrative Appeals Office