



U.S. Citizenship
and Immigration
Services

**identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

PUBLIC COPY

htz

NOV 17 2009

FILE: [REDACTED] Office: MEXICO CITY (CIUDAD JUAREZ) Date:
(CDJ 2004 817 401 relates)

IN RE: [REDACTED]

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

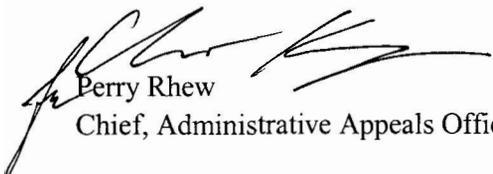
ON BEHALF OF APPLICANT:

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.

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).


Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the Officer in Charge, Mexico City. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The record reflects that the applicant is a native and citizen of Mexico who was found to be inadmissible to the United States pursuant to section 212(a)(9)(B)(i)(II) of the Act, 8 U.S.C. § 1182(a)(9)(B)(i)(II), for having been unlawfully present in the United States for more than one year, and section 212(a)(1)(A)(iii) of the Act, 8 U.S.C. § 1182(a)(1)(A)(iii), for a health-related ground of inadmissibility. The applicant seeks a waiver of inadmissibility pursuant to sections 212(a)(9)(B)(v) and (g) of the Act, 8 U.S.C. §§ 1182(a)(9)(B)(v) and (g), in order to reside with her U.S. citizen husband and children in the United States.

The officer in charge found that the applicant failed to establish extreme hardship to her U.S. citizen spouse and denied the application accordingly. *Decision of the Officer in Charge*, dated April 15, 2007.

On appeal, in response to the question “state the reason(s) for this appeal,” the applicant’s husband stated:

The motives for this appeal are highly important for my family and myself for the following reasons: The distance from myself and family has caused great emotional distress for the family. Myself and my daughters are United States citizens; of which two of my daughters are of age to attend school. My daughters are lacking a family as a whole in which my wife plays a vital part of the home. This situation has also been an economic burden for me because traveling to see my daughters and wife has become an often routine.

Notice of Appeal to the Administrative Appeals Unit (AAU) (Form I-290B). No additional evidence was submitted with the appeal.

The regulation at 8 C.F.R. § 103.3(a)(1)(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 applicant’s appeal fails to specifically identify any erroneous conclusion of law or statement of fact in the officer in charge’s decision. Accordingly, the appeal is summarily dismissed.

ORDER: The appeal is summarily dismissed.