

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



U.S. Citizenship
and Immigration
Services



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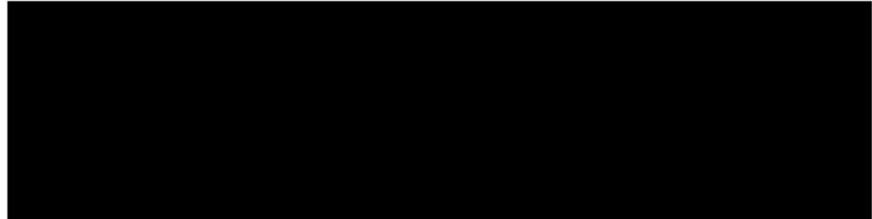
DATE: DEC 21 2012 OFFICE: NEWARK, NJ

FILE: 


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:



INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Ron Rosenberg
Acting Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the Field Office Director, Newark, New Jersey. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native and citizen of Nigeria who was found to be inadmissible to the United States pursuant to section 212(a)(2)(A)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(2)(A)(i), for having been convicted of a crime involving moral turpitude. The applicant seeks a waiver of inadmissibility in order to remain in the United States with his U.S. Citizen spouse.

The Field Office Director found that the applicant failed to establish extreme hardship to his U.S. citizen husband and denied the Form I-601 application for a waiver accordingly. *Decision of the Field Office Director*, dated May 8, 2012.

On appeal, counsel contends that Field Office Director failed to give sufficient weight to the medical hardship the spouse would suffer in Nigeria, as well as to the spouse's honorable service in the United States armed forces. *Statement from Counsel on Form I-290B*, submitted May 30, 2012. Counsel indicated a brief and / or additional evidence would be submitted in 30 days. *Id.* However, the AAO received no additional documentation, nor were any other statements made regarding the denial of the applicant's Form I-601 waiver application.

8 C.F.R. § 103.3(a)(1) states in pertinent part:

- (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 identify any erroneous conclusion of law or statement of fact in the Field Office Director's decision. The appeal is therefore summarily dismissed.

ORDER: The appeal is summarily dismissed.