



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

In Re: 29506033

Date: JAN. 22, 2024

Appeal of Cincinnati, Ohio Field Office Decision

Form I-212, Application for Permission to Reapply for Admission

The Applicant seeks permission to reapply for admission to the United States under section 212(a)(9)(A)(iii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(A)(iii).

The Applicant was also found inadmissible for fraud or misrepresentation under section 212(a)(6)(C)(i) of the Act. The Applicant submitted a Form I-601, Application for Waiver of Grounds of Inadmissibility, seeking a waiver of his inadmissibility. The Director denied the waiver application, and in a separate decision, we dismissed an appeal of the denial, finding that the Applicant was not eligible for a waiver because he did not demonstrate that his spouse would experience extreme hardship.

An application for permission to reapply for admission is properly denied, in the exercise of discretion, to an applicant who is mandatorily inadmissible to the United States under another section of the Act, as no purpose would be served in granting the application. *Matter of Martinez-Torres*, 10 I&N Dec. 776 (Reg'l Comm'r 1964). Because the Applicant's waiver application has been denied, he remains inadmissible under section 212(a)(6)(C)(i) of the Act, and we will dismiss the appeal of the denial of his application for permission to reapply for admission as a matter of discretion.

**ORDER:** The appeal is dismissed.