

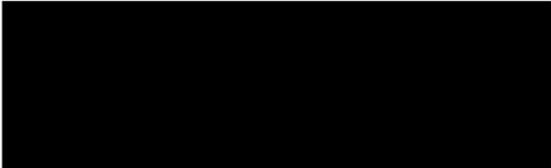
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U.S. Citizenship
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FILE: Office: CALIFORNIA SERVICE CENTER Date: MAY 19 2006

IN RE: Applicant:

APPLICATION: Application for Permission to Reapply for Admission into the United States after Deportation or Removal under section 212(a)(9)(A)(iii) of the Immigration and Nationality Act, 8 U.S.C. § 1182(a)(9)(A)(iii)

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.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Application for Permission to Reapply for Admission into the United States after Deportation or Removal (Form I-212) was denied by the Director, California Service Center and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The applicant is a native and citizen of the Philippines who on August 30, 1992, was admitted into the United States as a permanent resident on a conditional basis. On March 28, 1997, her conditional resident status was terminated. On June 17, 1997, a Notice to Appear (NTA) for a removal hearing before an immigration judge was issued. On June 2, 1999, an immigration judge ordered the applicant removed to the Philippines pursuant to section 237(a)(1)(D)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1227(a)(1)(D)(i), as an alien who has had her conditional resident status terminated. The applicant filed an appeal with the Board of Immigration Appeals (BIA). The BIA affirmed the immigration judge's decision on March 12, 2003. Consequently, on July 22, 2004, the applicant was removed from the United States. The applicant is the beneficiary of a Petition for Alien Relative (Form I-130) filed by her U.S. citizen spouse. She is inadmissible pursuant to section 212(a)(9)(A)(ii) of the Act, 8 U.S.C. § 1182(a)(9)(A)(ii). The applicant seeks permission to reapply for admission into the United States under section 212(a)(9)(A)(iii) of the Act, 8 U.S.C. § 1182(a)(9)(A)(iii) in order to travel to the United States and reside with her U.S. citizen spouse.

The Director determined that the applicant did not establish eligibility for the benefit sought and denied the Form I-212 accordingly. *See Director's Decision* dated April 12, 2005.

On appeal, filed by the applicant's spouse, he states that he is filing the appeal for his spouse in order to reunite his family. In addition, he states that they love this country and need another chance to correct what "they have done wrong." Additionally, the applicant's spouse states that his parents constantly ask when the applicant will be back to care for them. Finally, he states that he hopes that his spouse will be allowed to visit her family and relatives residing in the United States very soon.

The regulation at 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....

In the instant case the applicant has failed to identify any erroneous conclusion of law or statement of fact for the appeal and, therefore, it will be summarily dismissed.

ORDER: The appeal is summarily dismissed.