



(b)(6)

Date: **MAR 26 2013** Office: TUCSON, AZ

FILE: [REDACTED]

IN RE: Applicant: [REDACTED]

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:

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 Field Office Director, Tucson, Arizona, denied the Application for Permission to Reapply for Admission into the United States after Deportation or Removal (Form I-212) and it 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 removed pursuant to a section 235(b)(1) proceeding and then re-entered the United States without inspection prior to the expiration of his 10-year bar to re-entry. The applicant is inadmissible pursuant to section 212(a)(9)(A)(ii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(A)(ii). He 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 reside in the United States.

The field office director determined that the applicant was inadmissible pursuant to section 212(a)(9)(C)(i)(II) of the Act and denied the Form I-212 accordingly. *See Field Office Director's Decision*, dated June 21, 2012.

On appeal, the applicant states that a brief and evidence would be submitted within 30 days. *Form I-290B*, at 2, received July 20, 2012. No documents were submitted with the appeal, and no brief and/or other evidence has been received by the AAO. Accordingly, the appeal does not dispute or otherwise address the grounds upon which the application was denied.

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

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 will therefore be summarily dismissed.

**ORDER:** The appeal is summarily dismissed.