

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

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



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

PUBLIC COPY

HS

FILE:

Office: CIUDAD JUAREZ, MEXICO

Date: JUL 01 2010

IN RE:

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

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.

Thank you,

Perry Rhew
Chief, Administrative Appeals Office

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

The applicant is a native and citizen of Mexico who was found to be inadmissible to the United States pursuant to section 212(a)(6)(C)(i) of the Act, for attempting to procure a visa into the United States by fraud or willful misrepresentation. The applicant is the spouse of a U.S. citizen and he seeks a waiver of inadmissibility pursuant to section 212(i) of the Act, 8 U.S.C. § 1182(i), in order to reside in the United States.

The officer-in-charge concluded that the applicant had failed to establish that extreme hardship would be imposed on a qualifying relative and denied the Application for Waiver of Grounds of Inadmissibility (Form I-601) accordingly. *Decision of the Officer-in-Charge*, at 4, dated January 12, 2007.

On appeal, the applicant's spouse states that the applicant has never committed fraud against the United States, he has never attempted to enter the United States illegally and he has never been to the United States. *Form I-290B*, received February 12, 2007.

The record includes, but is not limited to, the Form I-290B, a letter from the applicant's spouse's friend, photographs and several statements in Spanish. The AAO notes the statements in Spanish, but will not consider them as they are not accompanied by English language translations, as required by the regulation at 8 C.F.R. § 103.2(b)(3). The entire record was reviewed and considered in arriving at a decision on the appeal.

The record is not clear as to whether the applicant is inadmissible under section 212(a)(6)(C)(i) of the Act. However, the AAO notes that subsequent to filing the appeal in this matter, the applicant submitted a second Form I-601 which was approved on May 7, 2010. As such, the Form I-601 on appeal is moot. Accordingly, the AAO will dismiss the appeal.

ORDER: The appeal is dismissed as the waiver application on appeal is moot.