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



U.S. Citizenship
and Immigration
Services

HLS

[REDACTED]

Date: OCT 11 2011

Office: PHOENIX, ARIZONA

FILE: [REDACTED]

IN RE: Applicant: [REDACTED]

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:

[REDACTED]

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 law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$630. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

A-

Perry Rhew
Chief, Administrative Appeals Office

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

The applicant is a native and citizen of Haiti who was found to be inadmissible to the United States under section 212(a)(6)(C)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i), for having attempted to enter the United States at John F. Kennedy Airport, New York on May 21, 1989 by presenting a fraudulent Haitian passport. The applicant seeks a waiver of inadmissibility pursuant to section 212(i) of the Act, 8 U.S.C. § 1182(i), in order to remain in the United States.

In a decision dated June 10, 2009, the Field Office Director found that the applicant failed to establish that her qualifying relative would experience extreme hardship as a consequence of her inadmissibility. The application was denied accordingly. *See Decision of the Field Office Director dated June 10, 2009.*

The applicant submitted a timely Notice of Appeal (Form I-290B) and stated that an appeal brief and/or additional evidence would be submitted within thirty days. The AAO sent a facsimile on September 16, 2011 notifying the applicant's attorney that no brief and/or evidence was submitted, and provided the applicant with five days to submit a copy of any additional brief and/or evidence that had been submitted with proof of the date of filing. On September 18, 2011, the AAO received a response from the applicant's attorney indicating that she did not file a brief or provide additional evidence in support of the applicant's waiver application.

The Form I-290B contained no allegation or argument regarding an erroneous conclusion of law or statement of fact to be reviewed. The applicant does not indicate any error on the part of the field office director. In fact, the statement in the Form I-290B indicates that the applicant "was not very clear on the documentation and evidence needed to meet the I-601 standard." As such, the applicant's statement does not meet the requirements for the filing of a substantive appeal. In addition, no additional brief or evidence was provided by the applicant. Accordingly, the record is considered to be complete as it now stands.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

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 applicant's general statement on appeal is not sufficient to meet the requirements for filing a substantive appeal. Therefore, as the applicant has failed to specifically identify an erroneous conclusion of law or a statement of fact in this proceeding, the appeal must be summarily dismissed.

ORDER: The appeal is dismissed.