



U.S. Citizenship
and Immigration
Services

[REDACTED]

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DATE: DEC 05 2012 Office: EL PASO, TX [REDACTED]

IN RE: [REDACTED]

APPLICATION: Application for Waiver of Grounds of Inadmissibility pursuant to 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,

Ron Rosenberg
Acting Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the Field Office Director, El Paso, Texas. 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 Mexico who was found to be inadmissible to the United States pursuant to section 212(a)(6)(C)(i) of the Immigration and Nationality Act(the Act), 8 U.S.C. § 1182(a)(6)(C)(i), for seeking to procure a visa, other documentation, or admission into the United States or other benefit provided under the Act by willful misrepresentation..

The applicant is the beneficiary of an approved Petition for Alien Relative and seeks a waiver of inadmissibility pursuant to section 212(i) of the Act in order to reside in the United States with her U.S. citizen spouse.

The Field Office Director found that the applicant failed to establish extreme hardship to her U.S. citizen spouse and denied the Form I-601, Application for Waiver of Grounds of Inadmissibility (Form I-601), accordingly. *See Decision of Field Office Director* dated June 13, 2011.

On appeal, counsel for the applicant indicated he would file a brief and/or additional evidence with the AAO within 30 days. *Form I-290B, Notice of Appeal or Motion (Form I-290B)*, dated July 15, 2011. Pursuant to 8 C.F.R. § 103.3(a)(2)(vii) and (viii), an affected party may request additional time to file a brief, which is to be submitted directly to the AAO. The AAO has not received any additional documents or correspondence, and the record is considered complete. On Form I-290B, counsel states that "The officer did not consider the totality of circumstances in this case. Applicant's husband and her daughters could be greatly affected if she is removed. They all depend on her support and care. There are psychological issues in the family." Counsel does not specifically discuss the Field Office Director's decision or identify erroneous conclusions of fact. Counsel does not discuss the Field Office Director's legal analysis, or specifically identify erroneous conclusions of law. The applicant provided no new evidence with the appeal.

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.

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. Therefore, the appeal will be summarily dismissed.

ORDER: The appeal is summarily dismissed.