



U.S. Citizenship
and Immigration
Services

(b)(6)

[Redacted]

Date: **JAN 02 2013**

Office: CHICAGO, IL

FILE: [Redacted]

IN RE:

Applicant: [Redacted]

APPLICATION:

Application for Waiver of Grounds of Inadmissibility pursuant to section 212(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(i)

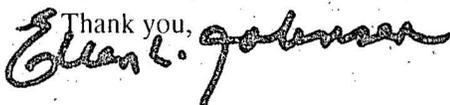
ON BEHALF OF APPLICANT:

[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 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

(b)(6)

DISCUSSION: The waiver application was denied by the Acting Field Office Director, Chicago, Illinois. The matter 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 of China and a citizen of Canada who was found to be inadmissible to the United States pursuant to section 212(a)(6)(C)(i) of the Act for fraud or willful misrepresentation of a material fact in order to obtain an immigration benefit. The applicant is married to a lawful permanent resident and seeks a waiver of inadmissibility pursuant to section 212(i) of the Act in order to reside with her husband in the United States.

The acting field office director found that the applicant failed to establish extreme hardship to a qualifying relative and that the applicant did not warrant a favorable exercise of discretion. The acting field office director denied the application accordingly.

On appeal, in response to the question asking for the basis for the appeal, counsel states, "Please see brief and evidence to be submitted within 30 days." *Notice of Appeal or Motion (Form I-290B)*, dated October 28, 2011. By letter dated December 2, 2011, counsel requested a 45-day extension to present a brief and documentation in support of the appeal due to the difficulty in gathering supporting documents and the holiday season. However, to date, the AAO has not received a brief or any additional documentation with respect to this appeal.

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

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 applicant's appeal fails to specifically identify any erroneous conclusion of law or statement of fact in the acting field office director's decision. Accordingly, the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed.