



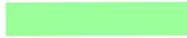
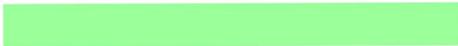
U.S. Citizenship  
and Immigration  
Services

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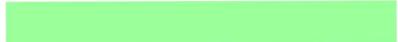
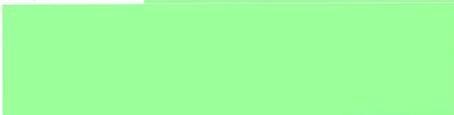


DATE: **DEC 03 2014**

OFFICE: NEWARK

File:   


IN RE:

Applicant:   


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 (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,

Ron Rosenberg  
Chief, Administrative Appeals Office

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

The record reflects the applicant is a native and citizen of Ghana and the beneficiary of an approved Form I-130, Petition for Alien Relative (Form I-130), filed by his U.S citizen spouse. The applicant, through previous counsel,<sup>1</sup> seeks a waiver of inadmissibility pursuant to section 212(i) of the Act, 8 U.S.C. § 1182(i), in order to reside with his wife in the United States.

The Field Office Director concluded that the applicant did not provide evidence of extreme hardship to his qualifying relative for the purposes of a waiver of inadmissibility as required under section 212(i) of the Act, and therefore, denied the Application for Waiver of Grounds of Inadmissibility (Form I-601) accordingly. *See Decision of the Field Office Director*, dated December 23, 2013.

Previous counsel submitted a Form I-290B, Notice of Appeal or Motion (Form I-290B), on behalf of the applicant on January 24, 2014. Part 3 of the Form I-290B, which asks for information about the appeal, indicates counsel will submit a brief with a “fuller explanation of the erroneous conclusion of law and facts on which the appeal is based.” The Form I-290B does not identify an erroneous conclusion of law or statement of fact as a basis for the appeal. Moreover, the record does not include additional information, a brief, or evidence submitted after January 24, 2014. The record indicates that the only documentation received after Form I-290B is previous counsel’s request to withdraw her appearance. The record therefore is considered complete as of the date of this decision.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) provides, in relevant 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.

Because the applicant has not identified an erroneous conclusion of law or a statement of fact in this proceeding, the appeal must be summarily dismissed.

In application proceedings, it is the applicant's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361. Here, that burden has not been met.

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

<sup>1</sup> The record reflects that on March 4, 2014, we received a request from counsel, verified by the applicant, to withdraw her appearance as the applicant’s attorney for matters before the AAO. Accordingly, we will consider the applicant to be self-represented in matters on appeal. *See* 8 C.F.R. § 292.4.