U.S. Citizenship and Immigration Services

Non-Precedent Decision of the Administrative Appeals Office

MATTER OF S-A-K-

DATE: FEB. 29, 2016

APPEAL OF DES MOINES FIELD OFFICE DECISION

APPLICATION: FORM I-601, APPLICATION FOR WAIVER OF GROUNDS OF INADMISSIBILITY

The Applicant, a native and citizen of Canada, seeks a waiver of inadmissibility. *See* Immigration and Nationality Act (the Act) § 212(i), 8 U.S.C. § 1182(i). The Director, Des Moines, Iowa Field Office, denied the application. The matter is now before us on appeal. The appeal will be dismissed as moot.

The Applicant was found to be inadmissible to the United States pursuant to section 212(a)(6)(C)(i) of the Act, 8 U.S.C. § 1182(a)(6)(C)(i), for attempting to procure admission into the country by willful misrepresentation of a material fact. The Applicant is married to a U.S. citizen and seeks a waiver of inadmissibility pursuant to section 212(i) of the Act.

In a decision dated January 8, 2015, the Director determined that the Applicant did not establish extreme hardship to a qualifying relative. The Applicant's waiver application was denied accordingly. On February 5, 2015, the Applicant appealed the Director's adverse finding, and simultaneously requested that the Director reopen and reconsider the decision.

Review of the Applicant's record of proceedings and United States Citizenship and Immigration Services records shows that, subsequent to the Applicant's filing of the instant appeal, the Director reopened the Applicant's case and the Applicant was admitted to the United States as an immigrant on May 14, 2015. Because the Applicant is now a lawful permanent resident, the instant appeal is no longer necessary. The appeal will therefore be dismissed as moot.

ORDER: The appeal is dismissed. The matter is remanded to the Field Office Director, Des Moines, Iowa, for further proceedings consistent with the foregoing opinion.

Cite as *Matter of S-A-K-*, ID# 15460 (AAO Feb. 29, 2016)