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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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H6

FILE: [REDACTED] Office: MEXICO CITY

Date: **NOV 09 2010**

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Waiver of Grounds of Inadmissibility pursuant to section 212(a)(9)(B)(v) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(B)(v)

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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. The fee for a Form I-290B is currently \$585, but will increase to \$630 on November 23, 2010. Any appeal or motion filed on or after November 23, 2010 must be filed with the \$630 fee. 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 handwritten signature in black ink, appearing to read "Perry Rhew", with the word "for" written below it.

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the District Director, Mexico City. The matter is now before the Administrative Appeals Office (AAO) on appeal. Given unfortunate recent events, no further purpose is served in adjudicating the appeal. The appeal will be dismissed.

The record reflects that the applicant was a native and citizen of Mexico who was found to be inadmissible to the United States pursuant to section 212(a)(9)(B)(i)(II) of the Act, 8 U.S.C. § 1182(a)(9)(B)(i)(II), for having been unlawfully present in the United States for more than one year. The district director found that the applicant failed to establish extreme hardship to a qualifying relative and denied the application accordingly. *Decision of the District Director*, dated August 24, 2009.

The record contains documentation that the applicant was murdered on May 1, 2010. The appeal was not forwarded to the AAO until September 1, 2010. Unfortunately, we did not have the opportunity to consider the applicant's appeal prior to his untimely tragic death.

We acknowledge that the applicant's U.S. citizen father has asked for assistance with his other children's attempts to become lawful permanent residents of the United States. We do not currently have jurisdiction over these matters, but encourage the applicant's father to bring recent events to the attention of officials at offices considering any application or petitions related to his children.

We recognize that the U.S. Department of State has issued a Travel Warning, urging U.S. citizens to defer unnecessary travel to [REDACTED]. The Travel Warning states, in pertinent part:

Recent violent attacks and persistent security concerns have prompted the U.S. Embassy to urge U.S. citizens to defer unnecessary travel to [REDACTED]. . . . The state of [REDACTED] is home to another of Mexico's most dangerous [REDACTED] [drug-trafficking organizations], [REDACTED]. In June 2010, 14 federal police were killed in an ambush near [REDACTED] in the southeastern corner of the state. In April 2010, the Secretary for [REDACTED] for [REDACTED] was shot in a [REDACTED] ambush. Security incidents have also occurred in and around the State's world famous butterfly sanctuaries. In 2008, a grenade attack on a public gathering in [REDACTED], the state capital, killed eight people. U.S. citizens should defer unnecessary travel to the area. If travel in [REDACTED] is unavoidable, U.S. citizens should exercise extreme caution, especially outside major tourist areas.

U.S. Department of State, Travel Warning, Mexico, dated September 10, 2010.

ORDER: The appeal is dismissed.