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



Htg

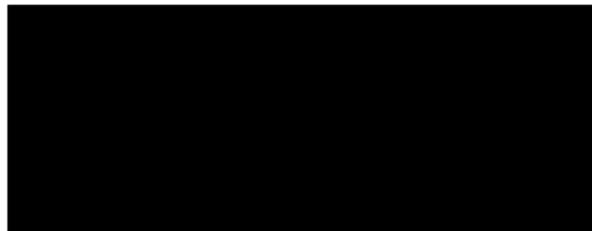
DATE **AUG 07 2012** OFFICE: NEW YORK, NY

FILE: 

IN RE: 

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

ON BEHALF OF APPLICANT:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Thank you,

A handwritten signature in black ink that reads "Perry Rhew".

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the District Director, New York, New York, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed as unnecessary.

The record reflects that the applicant is a native and citizen of Brazil 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 applicant is married to a U.S. citizen and seeks a waiver of inadmissibility pursuant to section 212(a)(9)(B)(v) of the Act, 8 U.S.C. § 1182(a)(9)(B)(v), in order to remain with his spouse in the United States.

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 December 8, 2008.

United States Citizenship and Immigration Services (USCIS) records show that, subsequent to filing the instant application, the applicant was granted lawful permanent resident status by an immigration judge on March 18, 2010. Because the applicant is now a lawful permanent resident, further pursuit of the matter at hand is unnecessary.

ORDER: The appeal is dismissed.