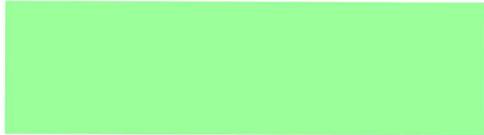


(b)(6)



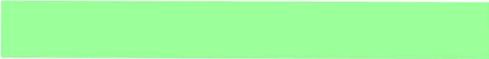
U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090  
**U.S. Citizenship  
and Immigration  
Services**



Date: **AUG 21 2013**

Office: ANAHEIM

FILE: 

IN RE: Applicant: 

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

ON BEHALF OF APPLICANT:



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.

Thank you,



Ron Rosenberg  
Chief, Administrative Appeals Office

**DISCUSSION:** The waiver application was denied by the International Adjudications Support Branch, Anaheim, California, on behalf of the District Director, Mexico City, Mexico, and is now before the Administrative Appeals Office (AAO) on appeal. USCIS records reflect that the appeal filed January 30, 2010 was received by the AAO on May 13, 2013. The appeal will be dismissed, the previous decision of the district director will be withdrawn, and the application declared unnecessary.

The record establishes that the applicant, a native and citizen of Mexico, entered the United States without authorization in December 2005 and did not depart the United States until October 2008. The applicant was thus found to be inadmissible to the United States pursuant to section 212(a)(9)(B)(i)(II) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(B)(i)(II), for having been unlawfully present in the United States for one year or more. The applicant seeks a waiver of inadmissibility in order to reside in the United States with her lawful permanent resident father.

The district director concluded that the applicant had failed to establish extreme hardship would be imposed on a qualifying relative and denied the Application for Waiver of Ground of Excludability (Form I-601), accordingly. *Decision of the District Director*, January 11, 2010.

USCIS records indicate that subsequent to filing the above-referenced appeal, the applicant was admitted to the United States as a Lawful Permanent Resident on December 15, 2011.<sup>1</sup> Therefore, the instant waiver application is unnecessary.

**ORDER:** The appeal is dismissed and the instant application for a waiver of inadmissibility is declared unnecessary.

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<sup>1</sup> While appeal of the original waiver denial was pending, the applicant filed a new Form I-601 on February 20, 2011. The waiver was approved on September 26, 2011 and the applicant issued an immigrant visa on November 29, 2011.