



**U.S. Citizenship
and Immigration
Services**

(b)(6)

Date:

JUN 12 2013

Office: MONTERREY, MEXICO

FILE: [REDACTED]

IN RE:

Applicant: [REDACTED]

APPLICATION:

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

ON BEHALF OF APPLICANT:

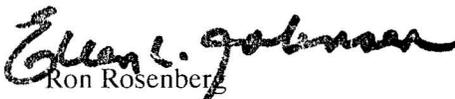
SELF-REPRESENTED

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 AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,


Ron Rosenberg

Acting Chief, Administrative Appeals Office

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

The record reflects that the applicant is a native of and a citizen of Mexico who was found to be inadmissible to the United States pursuant to section 212(a)(1)(A)(iii)(I) of the Act as an alien classified as having a physical or mental disorder with associated behavior that may pose, or has posed, a threat to the property, safety or welfare of the alien or others, section 212(a)(2)(A)(i)(I) of the Act for having been convicted of a crime involving moral turpitude, section 212(a)(9)(A)(ii) of the Act as an alien previously removed from the United States and section 212(a)(9)(B)(i)(II) of the Act for accruing more than one year of unlawful presence. The applicant is the son of a lawful permanent resident and seeks a waiver of inadmissibility pursuant to sections 212(g) (h) and (a)(9)(B)(v) of the Act in order to reside with his mother and his children in the United States.

The field office director found that the applicant failed to establish extreme hardship to a qualifying relative and that the applicant was convicted of an aggravated felony. The field office director denied the application accordingly.

On appeal, in response to the question asking for the basis for the appeal, the Form I-290B states, in its entirety, "The information recorded on his Immigration and Criminal history contains very serious errors. Some criminal history listed is not pertaining to applicant." The applicant checked the box stating that a brief and/or additional evidence would be submitted to the AAO within thirty days. *Notice of Appeal or Motion (Form I-290B)*, dated September 26, 2012. However, to date, the AAO has not received a brief or any additional documentation with respect to this appeal.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

Summary dismissal. 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.

The applicant does not specify what errors were made in the field office director's decision, or which part of the criminal history does not pertain to the applicant. As such, the applicant's appeal fails to specifically identify any erroneous conclusion of law or statement of fact in the field office director's decision. In addition, the AAO notes that the applicant has not contested his inadmissibility under section 212(a)(9)(B)(i)(II) of the Act, nor has he addressed the field office director's finding that he had failed to establish extreme hardship to a qualifying relative. Accordingly, the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed.