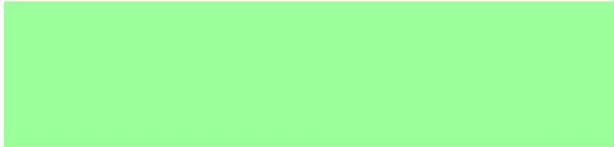




U.S. Citizenship
and Immigration
Services

(b)(6)



Date: **JUN 26 2013** Office: ANAHEIM, CALIFORNIA FILE: 

IN RE: Applicant: 

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

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.

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg
Acting Chief, Administrative Appeals Office

DISCUSSION: The waiver application was denied by the International Adjudications Support Branch, Anaheim, California, on behalf of the Field Office Director, Ciudad Juarez, Mexico, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal is rejected.

According to 8 C.F.R. § 103.2(a)(2), an applicant or petitioner must sign his or her application or petition. The applicant's father submitted Form I-290B, Notice of Appeal or Motion (Form I-290B), which was not signed by the applicant's father or the applicant. As the application was not properly executed, it must be rejected.

In addition, 8 C.F.R. § 103.3(a)(2)(i) provides that an affected party must file a complete appeal within 30 days after service of an unfavorable decision. If the decision is mailed, the 30-day period for submitting an appeal begins 3 days after it is mailed. 8 C.F.R. § 103.8(b). The date of filing is the date of actual receipt of the appeal, not the date of mailing. See 8 C.F.R. § 103.2(a)(7)(i). The record reflects that the International Adjudications Support Branch sent the decision on August 1, 2012 to the applicant at the applicant's address of record. It is noted that the International Adjudications Support Branch stated that the applicant had 33 days to file an appeal. The unsigned appeal Form I-290B is dated October 5, 2012, 62 days after the decision was issued. The appeal was received on November 5, 2012, 96 days after the decision was issued. Therefore, the appeal was untimely filed and also must be rejected for this reason. Neither the Act nor the pertinent regulations grant the AAO authority to extend the time limit for filing an appeal.

As the appeal was not properly executed or timely, the appeal must be rejected.

ORDER: The appeal is rejected.