



U.S. Citizenship  
and Immigration  
Services

(b)(6)



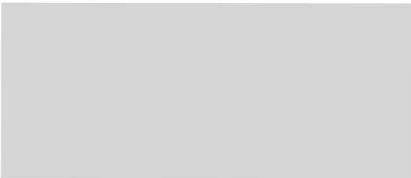
DATE: **JUL 24 2015**

FILE: [REDACTED]  
APPLICATION RECEIPT [REDACTED]

IN RE: Applicant: [REDACTED]

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

ON BEHALF OF APPLICANT:



Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case.

If you believe we incorrectly decided your case, you may file a motion requesting us to reconsider our decision and/or reopen the proceeding. The requirements for motions are located at 8 C.F.R. § 103.5. Motions must be filed on a Notice of Appeal or Motion (Form I-290B) **within 33 days of the date of this decision**. The Form I-290B web page ([www.uscis.gov/i-290b](http://www.uscis.gov/i-290b)) contains the latest information on fee, filing location, and other requirements. **Please do not mail any motions directly to the AAO.**

Thank you,

A handwritten signature in black ink that reads "Ron Rosenberg".

Ron Rosenberg  
Chief, Administrative Appeals Office

**DISCUSSION:** The Service Center Director, Nebraska Service Center, denied the application. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native and citizen of Trinidad and Tobago who was 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 more than one year and seeking readmission within 10 years of his last departure from the United States. The director further determined that the applicant is inadmissible under section 212(a)(9)(C)(I)(ii) of the Act, 8 U.S.C. § 1182(a)(9)(C)(i)(II), for having reentered the United States without being admitted in October 1997, after having been ordered deported. In addition, the director found the applicant inadmissible under section 212(a)(2)(A)(i)(I) of the Act, 8 U.S.C. § 1182(a)(2)(A)(i)(I), for having been convicted of a crime involving moral turpitude.

The applicant seeks a waiver of inadmissibility under sections 212(a)(9)(B)(v) and 212(h) of the Act, 8 U.S.C. §§ 1182(a)(9)(B)(v) and 1182(h).

The director denied the application, finding that the applicant's inadmissibility under section 212(a)(9)(C)(i) of the Act, 8 U.S.C. § 1182(a)(9)(C)(i) will continue until he obtains consent to reapply under section 212(a)(9)(C)(ii) of the Act, 8 U.S.C. § 1182(a)(9)(C)(ii). The director noted that the applicant cannot apply for consent to reapply until he has left the United States and remains outside the United States for at least ten consecutive years. *See Decision of the Director*, dated September 22, 2014.

On appeal, the applicant, through counsel, states that he will submit a brief within 30 days of filing the instant appeal. *See Statement Accompanying Form I-290B, Notice of Appeal or Motion*, dated November 20, 2014. To date, the applicant has not submitted a brief nor provided any reason for his appeal.

According to 8 C.F.R. § 103.3(a)(1)(v), “[a]n 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 record reflects that the director set forth a legitimate basis for denial of the application. The applicant has not addressed the reasons stated for denial and has not provided additional evidence on appeal. The appeal must therefore be summarily dismissed.

It is the applicant's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361. Here, that burden has not been met.

**ORDER:** The appeal is dismissed.