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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**



PUBLIC COPY



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DATE: **MAY 17 2011**

Office: NEW YORK

FILE: 

IN RE: Applicant: 

APPLICATION: Application for Waiver of Grounds of Inadmissibility pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. You no longer have a case pending before this office, and you are not entitled to file a motion to reopen or reconsider your case. If your appeal was sustained or remanded for further action, you will be contacted.


Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The application for waiver of inadmissibility within the legalization program was denied by the Director, Los Angeles, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

On her Form I-690, the applicant indicated that she seeks a waiver of inadmissibility. She indicates that she is seeking a waiver of Section 212(a)(9)(B)(i)(I). In Part 11 of Form I-690, the applicant indicates that she is seeking a waiver for "family unity" reasons, however, on her initial Form I-690 she failed to list any United States citizen family members.

On appeal of the denial of her Form I-690 application, the applicant indicates that her daughter, [REDACTED] was born on November 3, 2002 in Los Angeles, California. The applicant submits a copy of the child's birth certificate.

The AAO notes that the applicant's Form I-687 legalization application was denied on March 14, 2007 and the appeal was subsequently dismissed by the AAO. Therefore, there remains no application for which the waiver may be applied.

The appeal will be dismissed since the Form I-687 is denied and the issue is moot.

ORDER: The appeal is dismissed.