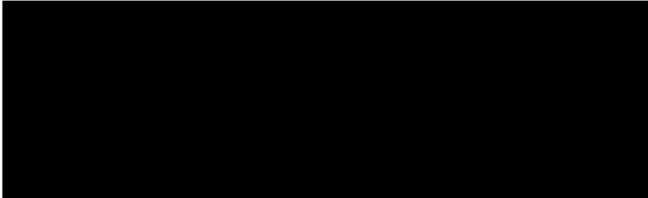




U.S. Department of Justice  
Immigration and Naturalization Service

H4

OFFICE OF ADMINISTRATIVE APPEALS  
425 Eye Street N.W.  
ULLB, 3rd Floor  
Washington, D.C. 20536



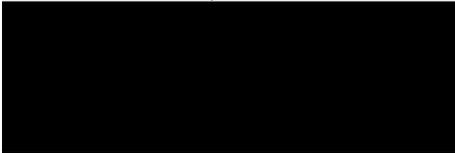
File: [Redacted] Office: TEGUCIGALPA, HONDURAS

Date: NOV 15 2000

IN RE: Applicant: [Redacted]

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

IN BEHALF OF APPLICANT:



Public Copy

**INSTRUCTIONS:** This is the decision in your case. All documents have been returned to the office which originally decided your case. Any further inquiry must be made to that office.

**DISCUSSION:** The waiver application was denied by the Acting Officer in Charge, Tegucigalpa, Honduras, and is now before the Associate Commissioner for Examinations on a motion to reopen and reconsider. The motion will be remanded to the acting officer in charge for further action.

The regulation at 8 C.F.R. 103.5(a)(1)(ii) indicates that the official having jurisdiction over a motion to reopen and reconsider is the official who made the latest decision in the proceeding unless the affected party moves to a new jurisdiction. The official who made the latest decision in the instant matter is the acting officer in charge and the affected party has not moved to a new jurisdiction. Therefore, the motion to reopen and reconsider will be remanded to the acting officer in charge for action.

**ORDER:** The motion is remanded to the Acting Officer in Charge, Tegucigalpa, Honduras for further action in accordance with the foregoing.

Identifying documents to  
prevent clearly un-remanded  
invasion of personal privacy

FOR THE ASSOCIATE COMMISSIONER,  
EXAMINATIONS

Mary C. Mulrean, Acting Director  
Administrative Appeals Office