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U.S. Department of Homeland Security
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Washington, DC 20536

U.S. Citizenship and Immigration Services

[redacted]

Identifying data deleted to prevent clearly unwarranted invasion of personal privacy

FILE: [redacted] Office: SAN FRANCISCO, CA Date:

IN RE: [redacted]

FEB 19 2004

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

ON BEHALF OF PETITIONER:

[redacted]

PUBLIC COPY

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The waiver application was denied by the District Director, San Francisco, California. A subsequent appeal was dismissed by the Administrative Appeals Office (AAO). The matter is now before the AAO on a motion to reconsider. The motion will be summarily dismissed and the previous decisions of the district director and the AAO will be affirmed.

The applicant is a native and citizen of Korea who was found to be inadmissible to the United States under section 212(a)(6)(C)(i) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(6)(C)(i), for having procured a visa for admission into the United States by fraud or willful misrepresentation. The applicant is the daughter of a lawful permanent resident of the United States and is the beneficiary of an approved Petition for Alien Relative. The applicant seeks the above waiver of inadmissibility in order to remain in the United States with her mother and lawful permanent resident husband.

The district director concluded that the applicant had failed to establish extreme hardship would be imposed on a qualifying relative and denied the Application for Waiver of Grounds of Excludability (Form I-601) accordingly. The decision was affirmed by the AAO on appeal. *See* AAO Decision, dated October 2, 2002.

On appeal, counsel stated that the applicant has been the sole individual who has been providing care and assistance to her ailing mother. Counsel also asserted that the applicant remarried her former spouse, a lawful permanent resident of the United States.

On motion to reconsider, filed October 23, 2002, counsel asserts that the applicant's mother will suffer extreme hardship if the waiver is not granted. In support of these assertions, counsel resubmits only documentation already contained in the record on appeal including a letter from the physician treating the applicant's mother, dated May 14, 2002; a letter from the applicant's mother, dated May 10, 2002; a letter from the pastor of the church where the applicant and her mother are members, dated May 6, 2002; a copy of the marriage certificate for the applicant and her spouse and a copy of the permanent resident card issued to the applicant's spouse. The entire record was reviewed and considering a decision on the motion to reconsider.

The applicant makes no further assertions in her motion to reconsider and no new declaration, information or evidence was submitted.

The record reflects that the applicant admits to having used fraudulent documents in July 1994 to procure a nonimmigrant visa for admission into the United States.

8 C.F.R. § 103.3(v) (2002) states in pertinent part:

> (v) 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 in this case failed to identify any erroneous conclusion of law or statement of fact in her appeal. The motion will therefore be summarily dismissed.

ORDER: The appeal is summarily dismissed.