



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

In Re: 27805877

Date: JAN. 5, 2024

Appeal of Nebraska Service Center Decision

Form I-212, Application for Permission to Reapply for Admission into the United States After Deportation or Removal

The Applicant, who has requested an immigrant visa abroad, seeks permission to reapply for admission to the United States under section 212(a)(9)(A)(iii) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1182(a)(9)(A)(iii), after having been previously ordered removed. U.S. Citizenship and Immigration Services may grant such permission in the exercise of discretion.

The U.S. Department of State determined that the Applicant was inadmissible to the United States, in part, under section 212(a)(2)(A) of the Act, as a noncitizen convicted of a crime involving moral turpitude. The Applicant filed a Form I-601, Application for Waiver of Grounds of Inadmissibility, seeking a waiver of this inadmissibility ground. However, the Director of the Nebraska Service Center denied the waiver request, and we dismissed the Applicant's appeal of the denial in a separate decision concluding that he did not establish statutory eligibility for a waiver under section 212(h) of the Act.

Because the Applicant's waiver application has been denied, he remains inadmissible under section 212(a)(2)(A) of the Act and ineligible for admission to the United States. We will therefore dismiss the appeal of the denial of his application for permission to reapply for admission as a matter of discretion. *See Matter of Martinez-Torres*, 10 I&N Dec. 776-77 (Reg'l Comm'r 1964) (finding that an application for permission to reapply for admission is properly denied, in the exercise of discretion, to an applicant who is mandatorily inadmissible to the United States under another section of the Act, as no purpose would be served in granting the application); *see also I.N.S. v. Bagamasbad*, 429 U.S. 24, 25 (1976) (stating that "as a general rule courts and agencies are not required to make findings on issues the decision of which is unnecessary to the results they reach.").

ORDER: The appeal is dismissed.