U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529

U.S. Citizenship and Immigration Services

identifying data deleted to prevent clearly unwarranted invasion of personal privacy

PUBLIC COPY

[redacted]

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FILE: [redacted] Office: MIAMI, FLORIDA Date: NOV 08 2005

IN RE: Applicant: [redacted]

APPLICATION: Application for Permanent Residence Pursuant to Section 1 of the Cuban Adjustment Act of November 2, 1966 (P.L. 89-732)

ON BEHALF OF APPLICANT:

[redacted]

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 application was denied by the District Director, Miami, Florida, who certified his decision to the Administrative Appeals Office (AAO) for review. The AAO affirmed the District Director's decision to deny the application. The matter is now before the AAO on a Motion to Reopen (MTR). The motion will be dismissed and the previous decision of the AAO will be affirmed.

In the MTR counsel states that the denial letter indicates that the application was denied because the applicant's spouse (M gned a statement that was written in Spanish. According to counsel, M signed a statement that was written in English and he was unaware of what he was signing. With his MTR counsel requests a copy of the signed statement.

A review of the record of proceedings reveals that on June 13, 2003, Mr. igned a statement written in the Spanish language. In addition, it is apparent that Mr imself wrote the statement.

The AAO does not have the authority to provide counsel with a copy of Mr statement. In order to obtain a copy of any part of the record of proceedings counsel must file a Freedom of Information/Privacy Act Request (Form G-639) with the Citizenship and Immigration Services (CIS) office that has jurisdiction over the applicant's place of residence.

Accordingly, the MTR will be dismissed and the prior AAO decision will be affirmed.

ORDER: The motion to reopen is dismissed and the prior AAO decision is affirmed.