



U.S. Citizenship
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Services

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FILE: LIN 06 230 52070 Office: NEBRASKA SERVICE CENTER Date: AUG 24 2007

IN RE:



APPLICATION: Application for Travel Document Pursuant to Section 223 of the Immigration and Nationality Act, 8 U.S.C. § 1203.

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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, Chief
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, Nebraska Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native and citizen of Ghana, who seeks to obtain a travel document (reentry permit) under section 223 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1203. The Director denied the application because the record failed to establish that the applicant is a lawful permanent resident or conditional resident of the United States as stated on her application. *See Director's Decision*, dated February 12, 2007.

On appeal, the applicant states that she has been a lawful conditional permanent resident of the United States for the last 17 years. She states that she entered the United States on an H-4 visa and filed a Form I-360, Petition for a Special Immigrant Religious Worker, on March 20, 2002. She explains that she believes this petition has been lost by the Vermont Service Center due to her name change or address change. *Applicant's Letter*, dated February 23, 2007.

The AAO notes that the record shows the applicant entered the United States on an H-4 visa on December 13, 2000 with an authorized stay until December 31, 2001. *Applicant's I-94 Card*. She then applied to extend her H-4 status on December 15, 2000 and was approved for the extension and granted an authorized stay until December 1, 2003. *Form I-539 Approval Notice*, dated March 2, 2001. The record also includes a November 1, 2002 letter in support of the Form I-360 petition from Bethel Ministries. The record does not include a receipt notice for the Form I-360, an approval notice for the Form I-360, a receipt notice for an Application to Register Lawful Permanent Residence or Adjust Status (Form I-485), a Form I-485 approval notice, or a copy of a lawful permanent resident card (Form I551).

The regulation at 8 C.F.R. § 223.1 states in pertinent part:

(a) Reentry permit.

A reentry permit allows a permanent resident to apply for admission to the United States upon return from abroad during the period of the permit's validity without the necessity of obtaining a returning resident visa.

The regulation at 8 C.F.R. § 223.2 states in pertinent part:

(b) Eligibility.

Except as otherwise provided in this section, an application may be approved if filed by a person who is in the United States at the time of the application and is a lawful permanent resident or conditional resident.

The record indicates that the applicant is in the United States. However, a review of the electronic records of Citizenship and Immigration Services (CIS) and the documents submitted by the applicant does not establish that she is a lawful permanent resident or conditional resident of the United States.

As noted above, an application for a reentry permit may be approved if filed by a lawful permanent resident or conditional resident. The information in the record does not establish the applicant as a lawful permanent resident or conditional resident. Accordingly, the appeal will be dismissed.

ORDER: The appeal is dismissed.