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U.S. Department of Homeland Security  
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Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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*LJ*

**NOV 23 2004**

FILE:

[REDACTED]

Office: CALIFORNIA SERVICE CENTER

Date:

IN RE:

Applicant:

[REDACTED]

APPLICATION:

Application for Adjustment from Temporary to Permanent Resident Status under Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

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. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed, you no longer have a case pending before this office, and you are not entitled to file a motion to reopen or reconsider your case.

*Robert P. Wiemann*

Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The application for adjustment from temporary to permanent resident status was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the adjustment application because the applicant's temporary resident status had been terminated, and the applicant was therefore not eligible for adjustment to permanent resident status. The director terminated the applicant's temporary resident status because the applicant did not furnish dispositions of criminal charges.

On appeal, the applicant states that his goal is to be a law-abiding resident. He asks that his case be reconsidered.

An alien whose temporary resident status has been terminated under 8 C.F.R. § 245a.2(u) is ineligible for adjustment from temporary to permanent resident status. 8 C.F.R. § 245a.3(c)(5).

The record reveals the applicant's temporary resident status was terminated on August 20, 1991. Although the applicant received such termination notice, and a notice denying an earlier application for permanent residence, he did not appeal either decision. He filed this later application for permanent residence on June 19, 2002.

The applicant is not a temporary resident. Therefore, he is ineligible for adjustment from temporary to permanent resident status.

**ORDER:** The appeal is dismissed. This decision constitutes a final notice of ineligibility for adjustment from temporary to permanent resident status.