

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

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

PUBLIC COPY



U.S. Citizenship
and Immigration
Services

L1

[Redacted]

FILE:

[Redacted]

Office: CALIFORNIA SERVICE CENTER

Date: JAN 03 2005

IN RE:

Applicant:

[Redacted]

APPLICATION:

Application for Status as a Temporary Resident pursuant to 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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The termination of temporary resident status by the Director, Western Regional Processing Facility is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The applicant appears to be represented on appeal; however, there is no Form G-28, Notice of Appearance of Attorney or Representative, from such individual in the record. Therefore, this decision will be sent to the applicant only.

The director terminated the applicant's status because of his criminal record.

On appeal, the applicant stated that he could not establish the specific reasons for his appeal because he had not yet received a copy of the record. The record contains a response from the director, in which she referred to the enclosed copy of record material. The record also contains another letter from the director, in which she referred to having closed out the request for a copy. Although she pointed out that the applicant could file a request under the Freedom of Information Act, there is no indication the applicant did so in the seven years since the director last wrote to him.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal which is filed that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

A review of the decision reveals the director accurately set forth a legitimate basis for termination of the applicant's status. On appeal, the applicant has not presented additional evidence. Nor has the applicant addressed the grounds stated for the termination. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed. This decision constitutes a final notice of ineligibility.