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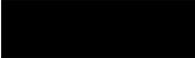


**U.S. Citizenship
and Immigration
Services**

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FILE: 

Office: California Service Center

Date: **SEP 27 2005**

IN RE: Applicant: 

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:



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, Director
Administrative Appeals Office

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

The director denied the application because the applicant's temporary resident status had been terminated, and the applicant was therefore no longer eligible for adjustment to permanent resident status. The applicant's status had been terminated because of his five misdemeanor convictions.

On appeal, counsel did not contest the basis for the denial. He requested a copy of the record, and indicated that he would furnish expungements. However, although his request was complied with, neither he nor the applicant responded further.

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

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 denial of the application. On appeal, counsel has not presented additional evidence or even pursued the matter. The appeal must therefore be summarily dismissed.

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