

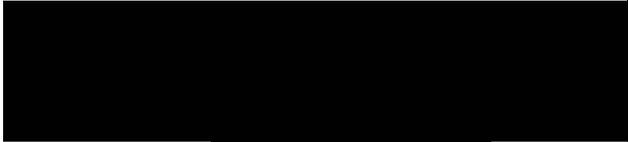


U.S. Citizenship
and Immigration
Services

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prevent clearly unwarranted
invasion of personal privacy**



FILE:



Office: CALIFORNIA SERVICE CENTER

Date: AUG 10 2006

IN RE:

Applicant:



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 the matter 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, Chief
Administrative Appeals Office

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

The director determined that the applicant was ineligible to adjust to temporary resident status pursuant to 8 C.F.R. § 245a.2(c)(1) because he had been convicted of a felony in the United States. *See* section 245A(a)(4)(B) of the Immigration and Nationality Act (Act), 8 U.S.C § 1255a(a)(4)(B). The director further determined that the applicant had not established that he was admissible to the United States as he had failed to submit requested court documents to establish the disposition of additional criminal charges brought against him. Therefore, the director concluded that the applicant was not eligible to adjust to temporary resident status and denied the application.

On appeal, the applicant requests a copy of the record of proceedings and indicates that a brief will be forthcoming within thirty days of compliance with his request.

The record shows that the Immigration and Naturalization Service or the Service (now Citizenship and Immigration Services or CIS) complied with the applicant's request and mailed a copy of the record to the applicant on December 3, 1993. However, as of the date of the decision, the applicant has failed to submit a statement, brief, or evidence addressing the basis of the director's denial.

An applicant for temporary resident status under section 245A of the Act has the burden to establish by a preponderance of the evidence that he or she has resided in the United States for the requisite periods, is admissible to the United States, and is otherwise eligible for adjustment of status under this section. 8 C.F.R. § 245a.2(d)(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. The applicant has failed to address the reasons stated for denial and has not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

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