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U.S. Department of Homeland Security  
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Washington, D.C. 20529



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

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FILE:

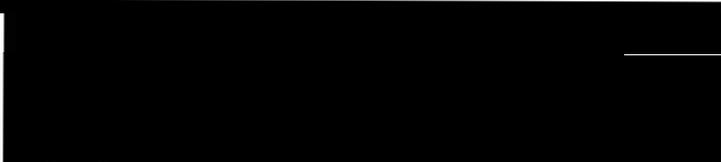
Office: CHICAGO

Date:

**OCT 27 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:



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 for temporary resident status was denied by the District Director, Chicago, Illinois, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The director denied the application because the applicant failed to appear for any of his scheduled interviews.

An adverse decision on an application for adjustment to permanent resident status may be appealed to the Administrative Appeals Office. Any appeal shall be submitted to the service center with the required fee within thirty (30) days after service of the notice of denial. An appeal received after the thirty-day period has tolled will not be accepted. The thirty-day period for submitting an appeal begins three days after the notice of denial is mailed. 8 C.F.R. § 245a.3(j).

The director issued the notice of denial on January 23, 1989, and mailed it to the applicant's address of record. The appeal was received on October 6, 2005. Therefore, the appeal was untimely filed, and must be rejected.

**ORDER:** The appeal is rejected.