

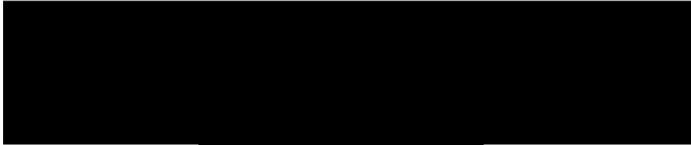


U.S. Citizenship  
and Immigration  
Services

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prevent clearly unwarranted  
invasion of personal privacy

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FILE:

XPS 80 601 00187

Office: TEXAS SERVICE CENTER

Date: FEB 12 2007

IN RE:

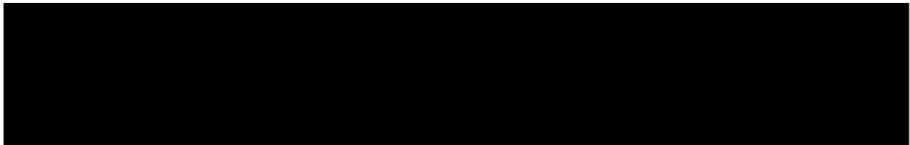
Applicant:



APPLICATION:

Application for Temporary 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.

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

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The denial of the application for temporary resident status by the Director, Texas Service Center is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

An adverse decision on an application for temporary resident status may be appealed to the AAO within thirty (30) days after service of the notice of denial or termination, or 33 days if the adverse decision is served by mail. *See* 8 C.F.R. §§ 103.5a(b), 245a.2(p). An appeal received after this period has tolled will not be accepted. 8 C.F.R. § 245a.2(p).

In this case, the director denied the application on February 25, 2005. Counsel initially submitted the appeal to the incorrect office and did not properly file the appeal until April 12, 2005, which was 46 days after the director's decision was issued. Accordingly, the appeal was untimely filed and must be rejected.

**ORDER:** The appeal is rejected.