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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE:

[Redacted]
XLB 88 141 2033

Office: CALIFORNIA SERVICE CENTER

Date: **JAN 22 2007**

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 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, Chief
Administrative Appeals Office

DISCUSSION: The applicant's temporary resident status was terminated by the Director, California Service Center, and the matter is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director terminated the applicant's temporary resident status because the applicant failed to file the application for adjustment of status from temporary to permanent residence within the 43-month application period.

On appeal, the applicant does not make a statement or submit any evidence to overcome the basis for the termination of his application.

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 temporary resident status. On appeal, the applicant has not presented additional evidence. Nor has he addressed the grounds stated for termination. The appeal must therefore be summarily dismissed.

Beyond the decision of the director, the record reveals the following offenses:

1. On December 8, 1992, the applicant was arrested in Norwalk, California, and charged with one count of tampering with the identification mark on a firearm, carrying a concealed weapon, and carrying a loaded firearm in a public place. The record does not contain any documentation revealing the final court disposition of this arrest.
2. On August 12, 1993, the applicant was arrested in Compton, California, on the charge of taking a vehicle without the owner's consent. Although the applicant has not submitted a final court disposition document, the record indicates that prosecution was declined in this case due to lack of sufficient evidence.
3. On November 7, 1993, the applicant was arrested in Los Angeles, California, and charged with driving with a suspended license in violation of section 14601.1(a) of the California Vehicle Code. On March 1, 1994, the applicant was convicted in the Municipal Court of Compton Courthouse Judicial District, County of Los Angeles, State of California, on the amended charge of driving with a suspended license in violation of section 14601.2(a) of the California Vehicle Code, a misdemeanor. (Case No. 93M11807).
3. On May 8, 1994, the applicant was arrested in Compton, California, and charged with spousal abuse. Although the applicant has not provided the final court disposition of this arrest, the record indicates that the applicant was convicted on the amended charge of battery in violation of section 242 PC, a misdemeanor, in the Municipal Court of

Compton, Courthouse Judicial District, County of Los Angeles, State of California, and the applicant was placed on probation for a period of 24 months and ordered to spend nine days in the county jail, with imposition of sentence suspended. On October 2, 1994, the applicant was arrested in Compton, California, on a bench warrant relating to this conviction.

4. On April 30, 2000, the applicant was arrested in Norwalk, California, under the name [REDACTED] and charged with driving under the influence of alcohol with prior conviction(s) on the same charge. The record does not contain any court documents revealing the final court disposition of this arrest.

These offenses must be addressed in any further proceeding before Citizenship and Immigration Services.

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