



U.S. Citizenship  
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Services

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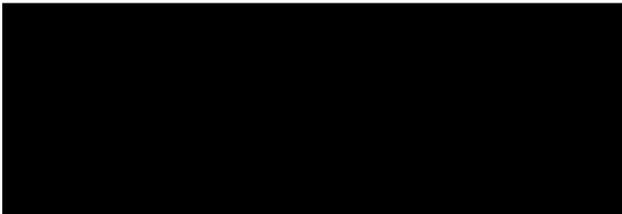
Office: TEXAS SERVICE CENTER

Date:

IN RE: Applicant: [REDACTED]

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. 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, Texas 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 was convicted of a felony. Specifically, the applicant pled guilty on January 17, 1995, in the District Court of Oklahoma County, State of Oklahoma, to accessory to a felony in violation of 21 O.S. § 173. (Court file CF 94-5589). The applicant was sentenced to a term of five years imprisonment, all but two years were suspended.

On appeal, counsel for the applicant requested a copy of the record of proceeding and stated that she would submit a brief and/or additional evidence within 30 days. Counsel's request for a copy of the record of proceeding was complied with on August 22, 1996. To date, Citizenship and Immigration Services has not received a brief or any additional evidence from counsel or from the applicant.

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 for the applicant has not presented additional evidence. Nor has she addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

It is noted for the record that the applicant was placed in removal proceedings after his release from prison. The removal proceeding was administratively terminated on August 20, 1996. It is further noted that on March 8, 2002, the applicant was arrested in Oklahoma City, Oklahoma, and charged with possession of a controlled substance. This arrest 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.