



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
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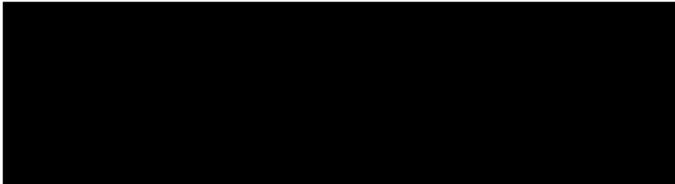
Office: TEXAS SERVICE CENTER

Date: MAR 08 2007

IN RE: Applicant: [REDACTED]

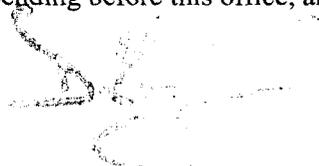
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the
Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

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 termination of the applicant's temporary resident status by the Director, Texas Service Center, is now before the Administrative Appeals Office on appeal. The appeal will be summarily 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, counsel for the applicant stated that the applicant was in the process of "gathering evidence to challenge the termination of her I-687." Counsel further stated that the applicant had filed a Freedom of Information Act (FOIA) request and that he would submit a brief and/or additional evidence within 30 days of receipt of a copy of the record of proceeding. Counsel did not submit any independent evidence to corroborate his statement that the applicant had filed an official FOIA request, and there is no indication in the record that the applicant ever filed an official FOIA request with CIS. To date, CIS has not received a brief or any additional evidence from counsel or from the applicant. Therefore, the record will be considered complete.

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

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