



U.S. Citizenship
and Immigration
Services

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MAR 12 2007

FILE:

XAU 87 036 6023

Office: TEXAS SERVICE CENTER

Date:

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 termination of the applicant's temporary resident status by the Director, Texas Service Center, is 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, the applicant requested a copy of the record of proceedings and indicated additional evidence would be submitted within 30 days of receipt of a copy of the record of proceedings. Citizenship and Immigration Services (CIS) administratively terminated the request on December 21, 2005, because the CIS was unable to contact the alien to obtain signature verification as required under 6 C.F.R. § 5.3. 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, the applicant has not presented additional evidence. Nor has he addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

Beyond the decision of the director, it is noted that the applicant was convicted on September 13, 1989, in the District Court of the 361st Judicial District, Brazos County, Texas, of two counts of causing injury to a child, both felonies. The applicant was placed on probation for a period of ten years. The applicant is ineligible for temporary resident status because of his record of two felony convictions. 8 C.F.R. § 245a.2(c)(1).

It is further noted that the applicant deported to Mexico via Laredo, Texas, on December 22, 1999.

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