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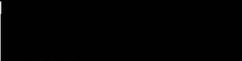
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**U.S. Citizenship
and Immigration
Services**

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FILE: 
MSC 05 253 13436

Office: DETROIT DATE: APR 26 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 application for temporary resident status was denied by the District Director, Detroit, Michigan, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The director noted that the applicant had been absent from the United States for over 45 days for a single absence and for over 180 days in the aggregate. The director therefore concluded that the applicant had not resided continuously in the United States, and denied the application.

An adverse decision on an application for temporary resident status may be appealed to the Administrative Appeals Office. Any appeal with the required fee shall be filed with the Service Center within thirty (30) days after service of the notice of denial. The 30-day period for submitting an appeal begins 3 days after the Notice of Decision is mailed. 8 C.F.R. § 245a.20(b)(1). An appeal received after the thirty-day period has tolled will not be accepted. *See* 8 C.F.R. § 245a.2(p).

The director issued the notice of denial on February 16, 2006, and mailed it to the applicant's address of record. The applicant's appeal was not received until March 22, 2006, thirty four days after the issuance date of the denial decision. Therefore, the appeal was untimely filed, and must be rejected.

ORDER: The appeal is rejected.