



U.S. Citizenship
and Immigration
Services

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[REDACTED]

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FILE: [REDACTED]
XHP 88 169 3114

Office: CALIFORNIA SERVICE CENTER

Date: NOV 01 2007

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Status as a Temporary Resident pursuant to Section 210 of the
Immigration and Nationality Act, as amended, 8 U.S.C. § 1160

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 initially terminated by the Director, Western Service Center, now the California Service Center. The director subsequently reopened the matter *sua sponte* and denied the application again. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director terminated the applicant's temporary resident status on February 7, 2004, because the applicant failed to provide the final court disposition of all arrests since his arrival in the United States. The director informed the applicant that his appeal from the initial termination of his status was still in effect and granted the applicant 30 days to submit the final court disposition of his arrest in Norwalk, California, on September 30, 1991, on the charge of possession of a narcotic controlled substance.

The Notice of Termination was mailed to the applicant's most current address, but was returned to the California Service Center as unclaimed mail. To date, three years and eight months after the issuance of the Notice of Termination, the applicant has not provided the final court disposition of the arrest detailed above.

It is noted that an attorney, [REDACTED] sent correspondence to Citizenship and Immigration Services (CIS) on May 8, 2006, stating that the applicant had retained his services for the purpose of investigation of the applicant's criminal record. Since [REDACTED] letter was not mailed to CIS until two years and three months after the expiration of the 30-day response period granted the applicant in the Notice of Termination dated February 7, 2004, [REDACTED] request for an extension of time to prepare the applicant's response to the Notice of Termination is hereby denied. The AAO will not accept a brief or any additional evidence in this matter.

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.

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