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U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



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

41

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FILE:



Office: CALIFORNIA SERVICE CENTER

Date:

OCT 25 2007

XLD-88-505-03055

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. The file has 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, California Service Center, is before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director terminated the applicant's temporary resident status because the applicant failed to respond to the Notice of Intent to Terminate. Specifically, security checks revealed criminal violations that may make the applicant ineligible for temporary resident status. The applicant failed to present sufficient evidence indicating that the convictions did not occur.

On appeal, the applicant stated that he was submitting documents and an Order of Dismissal to the Department of Revenue. The petition to withdraw his plea of guilty was being processed by the Department of Revenue and within six months he should be able to obtain the Record Clearance Statement. The applicant was advised by the Department of Revenue that he should be able to overcome the grounds of ineligibility. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application. Specifically, the applicant provided no evidence that any of the violations listed in the Notice of Intent to Terminate had not resulted in convictions. It is noted that more than fifteen years have passed since the applicant's temporary resident status was terminated, and the record does not contain any evidence to overcome the grounds for termination.

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 termination of temporary resident status. On appeal, the applicant has not presented additional evidence. Nor has he addressed the grounds stated for termination. The appeal must therefore be summarily dismissed.

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

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