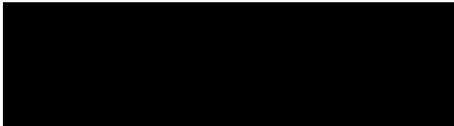


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FILE: [Redacted]
XSR 88 029 3003

Office: CALIFORNIA SERVICE CENTER

Date: **SEP 06 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: 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 is before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The applicant's temporary resident status was terminated because the applicant did not timely file an adjustment of her status to that of a permanent resident.

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. Whenever a person has the right or is required to do some act within a prescribed period after the service of notice upon him and the notice is served by mail, three days shall be added to the prescribed period. Service by mail is complete upon mailing. 8 C.F.R. § 103.5a(b). An appeal received after the thirty-day period has tolled will not be accepted. *See* 8 C.F.R. § 245a.2(p).

The record shows that a notice of an adverse decision was issued on August 1, 1990. The appeal was received on May 8, 2006. Therefore, the appeal was untimely filed, and must be rejected. The AAO further notes that even if the appeal were not deemed untimely, it would have been summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(3)(iv), which states that any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. In the present matter, the applicant failed to state the reason for appeal and marked the box, which indicates that she waives her right to submit a written brief or statement in support of her appeal. Regardless, the applicant's appeal will be rejected based on the untimely filing.

ORDER: The appeal is rejected.