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U.S. Department of Homeland Security  
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U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED]  
XPW 90 003 3274

Office: LOS ANGELES

Date: **APR 24 2008**

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Adjustment from Temporary to Permanent Resident Status under 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. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application for adjustment from temporary to permanent resident status was denied by the Field Office Director, Los Angeles, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application based on the determination that the applicant had been convicted of three misdemeanor offenses and was therefore statutorily ineligible for permanent resident status.

On appeal, the applicant does not contest the basis for the denial. Rather, the applicant attests to his own good moral character and claims that he intends to submit further documentation. However, the appeal was received by Citizenship and Immigration Services on November 17, 2007. More than five months have passed since the appeal was filed and no further documentation has been received to address the director's adverse findings.

An alien who has been convicted of a felony or three misdemeanors is ineligible for adjustment from temporary to permanent resident status. *See* section 245A(b)(1)(C) of the Immigration and Nationality Act; 8 U.S.C. § 1255a(b)(1)(C).

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 to overcome the adverse information previously presented. Nor has the applicant addressed the grounds stated for the denial. The appeal must therefore be summarily dismissed.

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