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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

PUBLIC COPY

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[redacted]

FILE: [redacted] Office: CALIFORNIA SERVICE CENTER Date: AUG 2 8 2008
MSC 06 151 10452

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. 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 appellant was granted lawful temporary resident status on May 5, 1989 pursuant to Section 245A of the Immigration and Nationality Act (the Act). The temporary resident status granted to the applicant was terminated by the Director, California Service Center. The termination is now before the Administrative Appeals (AAO) office on appeal. The appeal will be summarily dismissed.

The director terminated the applicant's temporary resident status because the applicant failed to file an application for adjustment of status to that of permanent resident by the end of the 43rd month beginning after the date the applicant was granted temporary resident status as required by Section 245A(b)(2) of the Act. On appeal, the applicant states that he failed to file an adjustment application because he was unaware he was required to do so.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

The record establishes that the director mailed a Notice Of Intent To Terminate to the applicant on November 3, 2006, and properly notified him that he had 30 days to respond to that notice. The applicant did not respond to the Notice Of Intent To Terminate. A Notice Of Termination was thereafter mailed to the applicant on December 22, 2006. All notices herein referenced were served on the applicant by U.S. mail as permitted by regulation at the applicant's correct mailing address. A review of the decision reveals that the director accurately set forth a legitimate basis for termination of the applicant's temporary resident status. On appeal, the applicant did not specifically address the basis for denial, nor state the director's termination was incorrect based upon an error of law or fact. The appeal must, therefore, be summarily dismissed.

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