



U.S. Citizenship  
and Immigration  
Services

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invasion of personal privacy

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FILE:

[REDACTED]

Office: TEXAS SERVICE CENTER

Date: **JAN 22 2008**

MSC 07 171 25385

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:

[REDACTED]

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 application for adjustment from temporary to permanent resident status was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

According to the record of proceeding, the applicant was granted temporary resident status on August 14, 2003. He had 43 months from the date of approval to file a Form I-698, Application of Adjustment from Temporary to Permanent Resident Status. Instead, he filed a Form I-698 on March 21, 2007, after his 43-month deadline lapsed. Given his failure to file a timely Form I-698, the Service terminated his temporary resident status on August 14, 2007.

Pursuant to section 245A(f) of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a(f), no denial of adjustment of status under this section based on a late filing of an application for such adjustment may be reviewed by a court of the United States or of any State or reviewed in any administrative proceeding of the United States Government.

**ORDER:** The appeal is rejected.