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FILE:

XPW-93-068-00449

Office: LOS ANGELES

Date: JUN 30 2008

IN RE:

Applicant:



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 Records 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 Director, Los Angeles District Office, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The director denied the application because the applicant was found to have abandoned the application. Specifically, the applicant failed to timely respond to a Form I-72 requesting additional evidence.

As stated in 8 C.F.R. § 103.2(b)(15), a denial due to abandonment may not be appealed. Since the denial in this case was based on the abandonment of the application, it may not be appealed. Therefore, the appeal will be rejected.

It is noted that, pursuant to 8 C.F.R. § 210.2(g), the director may *sua sponte* reopen any adverse decision. Additionally, the director may certify any such decision to the AAO. See 8 C.F.R. § 210.2(h).

**ORDER:** The appeal is rejected.