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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]

Office: NEBRASKA SERVICE CENTER

Date: JUL 19 2005

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. 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, Director
Administrative Appeals Office

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

The director denied the adjustment application because the applicant had never been granted temporary resident status, and was therefore ineligible for adjustment to permanent resident status.

An alien who was never granted temporary resident status under section 245(A) of the Act is ineligible for adjustment to permanent resident status. *See* 8 C.F.R. § 245a.3(c)(4).

Although the applicant applied for temporary resident status, his application was denied, and his appeal was later dismissed. He is therefore not eligible for adjustment to permanent resident status.

ORDER: The appeal is dismissed.