



U.S. Citizenship
and Immigration
Services

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JUN 22 2007

FILE:

XEL 88 034 4066

Office: TEXAS SERVICE CENTER

Date:

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. 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: This matter is an application for adjustment from temporary to permanent resident status denied by the Director, Texas Service Center, which is before the Legalization Appeals Office (AAO) on appeal. The appeal will be rejected.

The director denied the application because the applicant failed to fulfill his English and Civics requirements and because the applicant's criminal convictions rendered him ineligible for adjustment to permanent resident status.

On appeal, the applicant states that he needs to obtain permanent residence in order to work and support his family.

An adverse decision on an application for permanent resident status may be appealed to the Administrative Appeals Office. Any appeal with the required fee shall be filed with the Service Center within thirty (30) days after service of the notice of denial. Whenever a person has the right or is required to do some act within a prescribed period after the service of notice upon him and the notice is served by mail, three days shall be added to the prescribed period. Service by mail is complete upon mailing. 8 C.F.R. § 103.5a(b). An appeal received after the thirty-day period has tolled will not be accepted. *See* 8 C.F.R. § 245a.3(j).

The director issued the notice of denial on January 14, 2006 and mailed it to the applicant's address of record. The appeal was received on February 22, 2006. Therefore, the appeal was untimely filed, and must be rejected.

ORDER: The appeal is rejected.