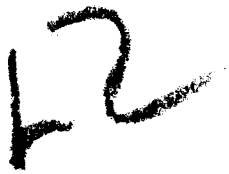
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529

identifying data deleted to prevent clearly unwarranted invasion of personal privacy

PUBLIC COPY

U.S. Citizenship and Immigration Services



[redacted]

FILE: [redacted] Office: Los Angeles Date: MAR 01 2007
XPW 91 005 0580

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, Chief
Administrative Appeals Office

DISCUSSION: The application for adjustment to permanent resident status was denied by the District Director, Los Angeles, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The director denied the application because the applicant had not reported for two scheduled interviews regarding her application. The director also noted the applicant had failed to demonstrate that she possessed the required knowledge of civics and the English language.

The regulation at 8 C.F.R. § 103.3(a)(1)(iii) states, in pertinent part:

> (B) *Meaning of affected party*. For purposes of this section and §§ 103.4 and 103.5 of this part, *affected party* (in addition to the Service) means the person or entity with legal standing in a proceeding.

The regulation at 8 C.F.R. § 245a.3(i) states, in pertinent part:

> A party affected under this part by an adverse decision is entitled to file an appeal on Form I-694.

Only an affected party, a person or entity with legal standing, may file an appeal of an unfavorable decision. In this case the Form I-694, Notice of Appeal of Decision under Section 210 or 245A of the Immigration and Nationality Act, is not signed. It is accompanied by a letter from the applicant's son, who states that he is "writing this letter/appeal on behalf of my mother/applicant." The appeal has not been signed and filed by the applicant, or by any entity with legal standing in the proceeding. Therefore, the appeal has not been properly filed, and must be rejected.

ORDER: The appeal is rejected.