

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy



U.S. Citizenship  
and Immigration  
Services

PUBLIC COPY

L1



FILE: [REDACTED]  
XJC-88-070-1048

Office: VERMONT SERVICE CENTER

Date: JUL 25 2008

IN RE: Applicant:



APPLICATION: Application for Temporary 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 Benefits 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.

  
for Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The termination of the applicant's temporary resident status by the Director, Vermont Service Center, is before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director terminated the applicant's temporary resident status because the applicant failed to file an application for adjustment of status from temporary to permanent residence within the 43-month application period and the applicant's record indicates that he has at least one felony conviction.

On appeal, the applicant asserts:

Your decision to terminate temporary residence status because of gun charge and non filing of forms to change to permanent residence status- included with application: 1) Transcript from sentencing at trial to explain why this was not a serious matter. No jail time was given 2) Application for permanent resident enclosed.

The applicant's appeal notice was filed on May 7, 2007. As of the date of this decision, the applicant has not furnished any additional evidence, despite his assertion that additional evidence would be submitted. Furthermore, the applicant's appeal statement fails to specifically address the basis for the director's decision to terminate his temporary resident status.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

A review of the decision reveals that the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence. Nor has he specifically addressed the basis for denial. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed. This decision constitutes a final notice of ineligibility.