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U.S. Department of Homeland Security
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Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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FILE:

WAC-08-079-50061

Office: LOS ANGELES

Date:

MAR 05 2009

IN RE:

Applicant:

APPLICATION:

Application for Status as a Temporary Resident pursuant to 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.

A handwritten signature in black ink, appearing to read "John F. Grissom".

John F. Grissom, Acting Chief
Administrative Appeals Office

DISCUSSION: The termination of the applicant's temporary resident status by the Field Office Director, Los Angeles, 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 was denied adjustment to permanent residence. The applicant was denied adjustment to permanent residence based on his three misdemeanor convictions.

On appeal, the applicant asserts that his temporary resident status was erroneously terminated. The applicant states that he has obtained legal assistance from a law office. He indicates that he provided the law office with his original documentary evidence. The applicant maintains that he has requested the law office to provide him copies of his documentation. The applicant filed his appeal notice on October 7, 2008; as of the date of this decision he has not furnished a brief or any additional evidence.

The status of an alien lawfully admitted for temporary residence under section 245A of the Act may be terminated at any time upon a determination that the alien has been convicted of any felony or three or more misdemeanors. 8 C.F.R. § 245a.2(u)(iii).

Court records indicate that the applicant was convicted of the following three misdemeanors:

- December 4, 1996: *Driving a vehicle with .08 percent or more blood alcohol* in violation of section 23152(b) of the California Vehicle Code (Municipal Court of Alhambra Courthouse Judicial District, County of Los Angeles, [REDACTED])
- December 4, 1996: *Hit and run with property damage* in violation of section 20002(a) of the California Vehicle Code (Municipal Court of Alhambra Courthouse Judicial District, County of Los Angeles, [REDACTED])
- December 6, 1996: *Driving with a suspended license* in violation of section 14601.2(a) of the California Vehicle Code (Municipal Court of Monrovia Courthouse Judicial District, County of Los Angeles, [REDACTED])

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 the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not addressed the grounds stated for denial, nor has he presented additional evidence. The appeal must therefore be summarily dismissed.

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