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U.S. Department of Homeland Security  
U. S. Citizenship and Immigration Services  
Office of Administrative Appeals MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services

A1

[REDACTED]

FILE:

Office: PORTLAND, OR  
(RELATES)

Date:

MAR 12 2010

IN RE:

[REDACTED]

APPLICATION: Application to Register Permanent Residence or Adjust Status Pursuant to section 245 of the Immigration and Nationality Act, 8 U.S.C. § 1255

ON BEHALF OF APPLICANT:

[REDACTED]

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. Any further inquiry must be made to that office.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).

A handwritten signature in black ink, appearing to read "Perry Rhew".

Perry Rhew,  
Chief, Administrative Appeals Office

**DISCUSSION:** The Acting Field Office Director, Portland, Oregon, denied the Application to Register Permanent Residence or Adjust Status (Form I-485) and Application for Permission to Reapply for Admission into the United States after Deportation or Removal (Form I-212). Counsel indicates that the Form I-485 is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected as improperly filed.

On November 24, 2006, the applicant filed the Form I-485 based on an approved Petition for Alien Relative (Form I-130). On July 14, 2009, the acting field office director denied the Form I-485. Pursuant to 8 C.F.R. § 245.2(a)(5)(ii), there is no appeal from the denial of an application to register permanent resident or adjust status under section 245(a) of the Immigration and Nationality Act. The AAO, therefore, does not have jurisdiction over the applicant's Form I-485. Accordingly, the AAO finds that the appeal was not properly filed and must be rejected.

**ORDER:** The appeal is rejected.